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INTERNATIONAL TERRORISM, INSURGENCY, AND DRUG TRAFFICKING: PRESENT TRENDS IN TERRORIST ACTIVITY

JOINT HEARINGS

BEFORE THE

COMMITTEE ON FOREIGN RELATIONS

AND THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

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INTERNATIONAL TERRORISM, INSURGENCY, AND DRUG TRAFFICKING: PRESENT TRENDS IN TERRORIST ACTIVITY

MONDAY, MAY 13, 1985

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
AND
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The committees met at 9:04 a.m., in room SD-226, Dirksen Senate Office Building, Hon. Strom Thurmond (chairman of the Committee on the Judiciary) and Hon. Richard G. Lugar (chairman of the Committee on Foreign Relations) jointly presiding.

Present: Senators Lugar, Helms, Trible, Evans, and Pell—Committee on Foreign Relations; Senators Thurmond, Denton, and Leahy—Committee on the Judiciary.

Chairman **THURMOND**. The committee will come to order.

I am pleased to welcome my good friend, the distinguished and able chairman of the Committee on Foreign Relations, Senator Lugar, and to join with him in convening this first of 3 days of joint hearings on international terrorism and drug trafficking.

With increasing frequency, our lives are darkened by news of international terrorism. All of us remember too well the senseless terrorist bombings of both our Embassy in Beirut, Lebanon, where 47 persons died, and the U.S. Marine barracks, which took the lives of over 250 American servicemen. These are particularly tragic reminders that terrorism is now being carried out on a large-scale basis.

Terrorist groups need money to carry out their heinous activities. Terrorists and insurgent groups are buying more sophisticated weapons and explosives. In addition, vehicles must be rented and hideouts maintained. These criminals often travel from distant countries to stalk their victims and commit their crimes.

In the past, these groups had to look for financial backing from sympathetic governments or fanatical dictators. In addition to state-sponsored terrorism, terrorists often financed their operations with the proceeds from bank robberies or kidnapping ransoms. Unfortunately, these groups have apparently discovered another sure way to make big money. There is increasing evidence that these groups are involved with the illicit drug trade.

Terrorists are able to use illegal drugs to attack this country in two ways. First, these drugs flow into our country where they erode our health, morals, and economy. Then the proceeds from the sale of these drugs are used to finance the terrorist activities that are directed at this country and our citizens.

I want to commend Chairman Lugar and the Foreign Relations Committee for their interest in this area of vital national concern. I also want to commend my colleague on the Senate Committee on the Judiciary, the distinguished chairman of the Subcommittee on Security and Terrorism, Senator Denton, for his continuing commitment to make this country and its citizens safe.

These joint committee hearings intend to focus attention on these alarming trends in terrorism and to examine the ability of this Nation to respond to them.

We have a distinguished group of experts that will be appearing during these 3 days of hearings. I look forward to reviewing their testimony.

I now turn this over to the distinguished chairman of the Foreign Relations Committee.

Chairman LUGAR. Thank you very much, Mr. Chairman.

It is a great pleasure to join Senator Strom Thurmond and the Committee on the Judiciary to hold these 3 days of hearings on international terrorism with a particular look at linkages between drug trafficking and terrorist organizations.

I especially want to commend Senator Jeremiah Denton for his leadership on these issues as chairman of the Judiciary's Subcommittee on Security and Terrorism.

In the comprehensive oversight hearings we have held on U.S. foreign policy, there has emerged a general consensus that the United States faces enormous difficulty planning for and meeting the challenges presented by all kinds of low-intensity conflicts. Terrorism is one of the most troublesome kinds of conflict, a fact which was brought graphically and tragically to America's attention by the brutal Beirut bombings in 1983.

International terrorism poses for the United States a dilemma from which it cannot totally escape; responding militarily to terrorist threats and attacks means we often risk far more than we have to gain.

Our responsibilities as a global economic power and the superpower defending freedom in the world means we expose ourselves to possible attack on every continent. We maintain large diplomatic and aid missions throughout the world. U.S. corporations operate virtually everywhere. Isolated attacks on American personnel and installations overseas rarely present an easily identifiable target. Should we respond militarily, the United States often risks charges of overreaction by our enemies and sometimes even by our allies.

Should the target be a state we have identified as supporting a terrorist operation, we risk possible intervention on that state's behalf by other nations, including the Soviet Union. Should we suffer U.S. military casualties in a retaliatory attack, we risk the support of the American people for our broad international presence. Finally, the possibility of the deaths of innocent bystanders in such retaliatory responses gives us moral qualms and imposes enormous costs to our international public diplomacy.

Terrorists know all this, of course, and they exploit it.

Even the best preventive measures provide no immunity from terrorist attack.

Several weeks ago, the Foreign Relations Committee approved an increase in the State Department budget for improving embassy security. When the Inman Advisory Panel on Overseas Security makes its final report next month, we can expect a recommendation for large multiyear expenditures for embassy relocation and protection.

Preventing terrorist attacks is expensive and terrorists know that.

New developments and trends in terrorism are most disturbing. The advent of state-sponsored terrorism—that is, the use of terrorist attack as a type of surrogate warfare—poses new challenges. So does increasing coordination among terrorist groups and the rising tide of religious fanaticism, especially among Shiite extremists. Recent revelations of links between major drug trafficking organizations and terrorist groups threatens to provide well-organized, highly skilled terrorist organizations a consistent source of financing.

The committees will take a close look at this phenomenon in tomorrow's hearing.

Organizing ourselves to respond to international terrorism will take imagination and patience. It cannot be episodic. For this reason, the committees are pleased to hear first from two noted authorities on terrorism: Mr. Brian Jenkins of Rand Corp., and Dr. Ray Cline of the Center for Strategic and International Studies—two men who have studied terrorism thoroughly.

I yield, Mr. Chairman, to others who may have statements.

Chairman THURMOND. Does the Senator from Vermont have a statement?

Senator LEAHY. I will yield to the chairman of the subcommittee, Mr. Chairman, but then I would like to make a statement.

Chairman THURMOND. Senator Denton.

Senator DENTON. Thank you, Senator Leahy. That is typical of the courtesy and bipartisanship with which we have addressed this subject.

I would like to start this hearing by thanking Senator Thurmond, the chairman of the Committee on the Judiciary, and Senator Lugar, chairman of the Committee on Foreign Relations, for holding these joint hearings at this propitious time.

I hope that further bipartisanship on this urgent subject may be developed because we have come to a point in our history which requires that we establish both foreign and domestic policy for dealing with the odious subject of terrorism, and we should do it bipartisanly.

But before developing policy, we must study further the nature of the problem, identify its threat to our interests, and only then can we develop effective policies and commitments to deal with it. Today's policies are being published openly even before they are developed, and that is not helpful.

We here have come to listen and to learn the current trends in terrorism. We have come to discuss and seek answers to some very weighty questions. We have come to study so that intelligent policy development can proceed.

This morning, I also want to thank our distinguished witnesses, two of whom are now before us, for making themselves available to testify before this hearing. Each of them has a busy schedule and their time is much in demand.

In the course of these hearings, we shall examine several important areas. Among these are the relationships between drugs and terrorism, our intelligence capabilities, the relationships between political and terrorist groups, the commonalities between terrorism and drug trafficking, and the coalescence of various groups.

The areas examined should assist the Judiciary Committee in understanding the ramifications of terrorism to our system of justice when reacting to domestic situations. For the Foreign Relations Committee, I respectfully believe the areas examined will contribute a better understanding of the nature and degree to which terrorism, especially when linked to narcotics, has become a new force and trend in international affairs.

Hearing after hearing in both Houses of Congress has pointed out the relationship between narcotics trafficking and terrorism. We have hundreds of pages of sworn testimony that the Governments of Cuba, Nicaragua, and Bulgaria, for example, have actively participated in trafficking of drugs for guns and money. Quite often, the guns and money end up in the hands of terrorists or guerrillas who are working toward America's eventual demise, and to our immediate disadvantage through attacks on our friends.

Yet, we seem powerless to do anything about it. There is not broad understanding of terrorism in Congress. But, Congress has not been idle. We have this committee and, among others, Senator Hawkins' subcommittee. She and her subcommittee have worked tirelessly in this area with sterling results. On the Democratic side in my subcommittee, Senator Leahy, Senator Biden, and Senator DeConcini all have been particularly attentive to this work.

However, because these hearings reach very few legislators, confusion still exists. I hope we can present evidence in these hearings to establish once and for all the relevant facts for a majority of our colleagues.

I am the first to acknowledge that there are officials in other countries friendly to the United States who have individually benefited from the drug trade, but their participation is not the result of their government's policy. On the other hand, I believe we can establish beyond a reasonable doubt that Cuba, Nicaragua, and Bulgaria have been involved, as governments, in supporting arms and drugs at the expense of American lives, especially young American lives. I understand that Bulgaria has recently shown some improvement. I hope this is true and that it continues.

Intelligence and informed judgment are essential elements in combating terrorism. There may be a need to coordinate the collection and analysis of the information we get. We have the FBI, the Department of State, the CIA, the Defense Intelligence Agency, NSA, DEA, and the various Armed Forces intelligence groups collecting, analysing, and disseminating information on terrorism. And, although there is some measure of coordination and cooperation, it is not sufficient. We must ensure adequate and appropriate efforts among all our agencies in every step of the intelligence process.

It might be worth pointing out that we recently established a process similar to the one used at the Olympics, but on a larger scale, to prevent terrorism.

It is important to know, and for the public to be aware of, the principal instigators of terrorism: Who is recruiting and training terrorists; who is supporting them; and how are these things done?

It is significant that the Soviet Union, alone or through its surrogates, has a long history of recruiting, training, and supporting terrorists from all over the world. What are the implications? What onus does the Soviet Union deserve to bear for its contribution to international terrorism? Terrorist incidents rarely occur in a vacuum. Although many incidents may appear to be unrelated, historical facts demonstrate that there is, generally, a globally cohesive plan. The plan is laid out in general, even ideological terms.

Too many in government look at terrorism as a series of isolated events, each unrelated to the others. Certainly not all terrorist acts are related; but many are carried out tactically and strategically from the same book—and I mean that literally—the same book with the same, or similar, goals. I mean that literally, when I say "same," because that goal, which we will come across, is written down in those books.

I am confident that these joint hearings, through the testimony and the resulting record, will go far to manifest the reality and nature of these interrelationships. The global plan I spoke of is not inclusive of all terrorism, again; but there is clearly significant global unity in sources of support, strategy, tactics, and goals. Importantly, to this Nation and to these two committees under which we are jointly conducting these hearings, destruction of U.S. interests is an all too common goal.

A clear coalescence appears among many international terrorist organizations, and it appears in three forms.

First, training facilities provide a common link for terrorists. Terrorist training facilities are made available in the Soviet Union, East Germany, Czechoslovakia, Cuba, South Yemen, and other Soviet allies for almost any group bent on causing havoc, almost irrespective of its political orientation. For example, we find Central and South Americans training in Cuba and Nicaragua, ANC and SWAPO cadres training with IRA cadres in the Soviet Union and East Germany, Cubans training Africans in Africa and Cuba, and everyone interested in terrorism training at the Patrice Lumumba University for "revolutionaries" in the Soviet Union.

So, training is one aspect of the common link.

Second, the same targets are often hit by groups of different political orientation and sometimes from different countries. So there is a commonality in the objective in terms of targets.

For example, the left-wing ASALA and the right-wing justice commandos for the Armenian Genocide target Turkish interests, and Turkey is an American NATO ally. The PLO and its constituent organizations team up with the Islamic Jihad and various other Middle East groups to attack Israel, a staunch American ally. They attack targets in the United States and other targets.

In both France and Spain, various separatist groups attack the governments of both of these NATO ally governments.

Third, groups with similar political orientation have teamed up against the primary targets of each of the groups. We have seen in this country the Black Liberation Army, May 19 Communist Organizations, the Armed Resistance Unit, and United Freedom Front operate interchangeably in an effort to reverse U.S. policies in Central America, South Africa, or with respect to the deployment of nuclear weapons.

Similarly, the M-19, FARC, and the ELN in Colombia operate with the common goal of overturning the government of that free nation.

In summary, despite the many causes espoused by terrorists, the preponderance of the harm clearly falls principally on the U.S. and non-Communist governments and peoples.

It is the free governments which are suffering the most damage.

The real measure of the success of terrorism is not whether 13 terrorist incidents occurred in the United States last year, as opposed to 31 in 1983. The real measure is where the United States stands as a result of the threats of worldwide terrorism and drug trafficking posed against physical security, foreign policy, social, and economic interests of the United States. It is worldwide terrorism that poses those threats against our interests. These hearings should cast light on the nature and degree of these threats.

What should our response be to a terrorist attack against an interest of the United States? We have no clear-cut policy at this time. Our responses have been defensive and ad hoc. We have increased the security at our Embassies, making fortresses of some of them. We continue to resist terrorist demands, especially in hostage situations. We continue to urge our personnel overseas to be security minded and not take unnecessary chances. All of these are important and should be a part of our overall policy to deal with the challenge. But perhaps we should do more.

Some governments are responding with selective force, and they have been marginally successful. The advantage of responding with force is that the would-be terrorist comes to realize that the danger is not reserved for his victims. He, the terrorist, can get hurt, even killed.

While this might not be a disincentive for fanatical Islamic groups, whose members relish the idea of dying in battle, it may deter the European, Latin American, and Asian groups which do not share this "religious" zealotry for martyrdom.

How should we respond against state-sponsored terrorism? If we do nothing, we will be perceived as a paper tiger by both friend and foe. There was a banner at the Tehran Airport which announced to new arrivals: "America Can't Do a Damn Thing."

We talk of preemptive strike, retaliation, reprisal. There are risks involved in any of these. To respond militarily, there is a strong possibility that innocent civilians will be hurt or killed. Further, we may lose men and equipment and face the risk of our personnel becoming hostages.

In responding to terrorism, there are many questions of international law. But we must also deal with the larger question of whether retaliation will work. The question may be can we afford not to retaliate.

When terrorists can strike with impunity, there is no incentive to stop. If we decide to retaliate, it must be done selectively, and the punishment must fit the crime. We cannot afford policy with a built-in bias toward failure, as occurred in our rescue attempt of the hostages in Iran. When developing policy for punishing terrorist offenders here or abroad, that policy must be consistent with international law and with our national character. But this entire Nation, its entire establishment, be it Government, media, the populace, this entire Nation must be prepared to take some degree of risk once good policy is developed, and to accept a degree of error of execution during the difficult play of this nasty game.

Political bipartisanship and an increased media sense of responsibility are essential to success.

Whatever policy we do develop will necessarily involve putting in place a command and control system for an appropriate, timely response to terrorism—a system that does not now exist. We will need an intelligence network inputting into that system. We will need appropriate training and a ready force that can be called upon to carry out the desired response.

These hearings obviously have the significant potential of focusing the immediate attention of more than one-third of the Senate, and ultimately, the entire Senate on the nature and importance of the global terrorism problem as it affects U.S. interests.

Moreover, I hope that objective media coverage of these hearings will raise the consciousness of the American people.

I thank you, Chairman Thurmond and Chairman Lugar.

Chairman THURMOND. Does the distinguished Senator from Vermont have a statement?

Senator LEAHY. Thank you, Mr. Chairman.

I also want to thank my distinguished chairman, Senator Thurmond, of the Judiciary Committee for holding these hearings, and the distinguished chairman of the Foreign Relations Committee, Senator Lugar, for joining in them.

As the ranking member of Senator Denton's subcommittee, I think both Senator Denton and I agree that there are issues here that go across committee jurisdictions. I applaud the chairmen for getting together—all three of you—in having these hearings.

They are important. One of my priorities for years has been the question of terrorism.

Mr. Cline, I am delighted to see you here. I know that from your past experience with the CIA this has been a matter of interest to you, and to Mr. Jenkins also.

It has been a priority of mine in the Intelligence Committee and it will continue to be one. In fact, when I took over as vice chairman of that committee this year, I announced that this would be a priority for me during the coming 2 years, and we will press for hearings on these subjects in the Intelligence Committee. I know that Senator Durenberger, the distinguished chairman of that committee, and my good friend, also agrees as to its importance. He has been one of the leaders in expressing concern over the years in the committee in this area.

I would like to mention that I have been at GW Hospital since around 5 o'clock this morning. I have a son who is in surgery this morning, and he will be coming out of the operating room in a short while. I mention that only to explain why I will not be here for the rest of the hearing this morning. My wife is already at the hospital, and I want to be with her and with him when he is brought to the recovery room.

I think that terrorism is one of the gravest threats that the United States faces today. We are, after all, the world's greatest military power. We are the world's greatest democracy. And yet we are constantly damaged, injured, and attacked by terrorists—terrorists who obviously do not play by society's rules, but who play by their own rules.

If the United States wants to remain in a position to maintain its power and to maintain its standing as a leader of the free world we must be able to act against these terrorists. Otherwise, we are going to find terrorists determining our foreign policy and not the President of the United States, not the Congress, and not the American Government.

So the United States must be able to stop terrorists. If that requires preventive strikes, then the United States must be in a position to do that. If we are unable to stop terrorists before they strike, then we must be able to go after terrorists after the attacks and then stop them once and for all.

Now, to do that, we need extremely accurate intelligence. The reason we need intelligence is we need to know who the terrorists are, where they are, and, quite frankly, when they are going to strike. This is difficult especially when we are dealing sometimes with very small groups, very fanatical groups.

I want far better intelligence than we have now so that the President, as Commander in Chief, can take the actions necessary to protect our people. We cannot have situations like the bombing of the marines in Beirut, where the sentries themselves did not even have bullets in their guns. We must be able to protect our people abroad. If we are going to send diplomatic or military missions abroad, then we must be able to protect them. If we make commitments to our allies, we must be able to fulfill those commitments. But in all those things, we need far better intelligence.

There have been improvements, and I might say that part of them has been a result of the prodding of the Congress—bipartisan prodding. I agree with you, Senator Denton, that this is an issue that cannot be subjected to partisanship. This is an issue on which we all must be united.

It has been that prodding which has brought about improvements. But we have so much further to go.

Most of our hearings have been in secret sessions in the Intelligence Committee over the years. I know the importance of those. Every one of the Senators here who has access to them knows also of their importance.

I think we also agree, though, that there are a number of issues that can be raised in open hearings, in public hearings, like this one.

So, Messrs. Chairmen—and I should say that this is the first time in the years that I have served on the Judiciary Committee that we have had such a joint hearing—Messrs. Chairmen, I applaud you for having this hearing. I hope you will understand my personal reasons for not attending the entire hearing this morning.

I also invite all of you—and I know that Senator Durenberger feels the same way—to review what we have looked at in the Intelligence Committee of a classified nature. I think that it will reinforce the concern that you have about terrorism.

Thank you very much.

Chairman THURMOND. Does the distinguished Senator from Washington have any statement he would care to make?

Senator EVANS. No, thank you. I am prepared to listen to the witnesses.

Chairman THURMOND. Does the distinguished Senator from Virginia have any statement to make at this time?

Senator TRIBLE. No, Mr. Chairman, thank you.

I am looking forward to hearing from the witnesses.

Chairman LUGAR. Mr. Chairman, I would like to ask permission to put into the record a statement by Senator McConnell, which he would like included at this point.

Chairman THURMOND. Without objection, that will be done.

[Senator McConnell's prepared statement follows:]

PREPARED STATEMENT OF HON. MITCH MCCONNELL, A U.S. SENATOR FROM KENTUCKY

International terrorism poses one of the most significant and dangerous challenges to American global interests. Today, we face a wide variety of terrorists who orchestrate acts of violence with one distinct goal—the imposition of their will by dramatic use of force. Terrorists are determined to create fear and disorder. They want citizens to believe their government is helpless and that it cannot protect them from the terrorists' threat. Secretary Shultz summed up the problem when he said,

"It is out of disorder that (the terrorist) hopes to instill fear, discredit governments, demoralize societies and alter national policies."

Over the past several years, the nature of the terrorist threat has changed somewhat. We see fewer skyjackings and hostage takings and more large-scale spectacular acts of violence, such as bombings, resulting in greater loss of innocent lives.

In part, we can consider the terrorist changes in method as a measure of our success. New security improvements such as airport metal detectors have forced terrorists out of some businesses almost completely. Unfortunately, they have successfully sought new methods to generate fear and draw attention to their causes.

While the methods have changed and new groups have emerged or forged dangerous coalitions, the targets have been constant. Democracies and their representatives have been the victims.

It is noteworthy that totalitarian governments have not lost one diplomat in a terrorist incident. Soviet citizens have not been held hostage or tortured by religious fanatics as Americans have been. To some, the fact that they have not been targeted may suggest Soviet complicity with terrorist groups. At a minimum, it suggests the Soviets are more successful at conveying the message to terrorists that challenges or threats to Soviet interests will not be tolerated.

This contrast raises essential questions which I hope these hearings will address. First, are American counter-terrorist capabilities, tactics and strategy flexible enough to meet the ever changing terrorist methods of operation? Terrorists do not have to have their plans approved by interagency working groups, special councils, and Congress, to name a few. While I strongly believe in congressional oversight, I want to be sure we have not monitored and managed our intelligence and counterterrorism capabilities to the point that we have convinced ourselves it isn't democratic, constitutional, legal or moral to take whatever actions are necessary to defend American lives.

Second, I am interested in whether we have responded in a timely and serious way to the threat that has escalated since 1968, when our Ambassador was assassinated in Guatemala. In remarks to the Foreign Relations Committee the Under Secretary of Management for the State Department said,

"The statistics reflect the trend over the past few years toward increasing death and injury from terrorist violence . . . Because attacks on our embassies take place with alarming frequency, we have continued the Department's security enhancement program . . . we have developed a systematic program of contingency planning and preparedness testing in Washington and in the field to upgrade our readiness. . . . We have instructed all ambassadors to review their internal defense plans . . . and we have conducted a number of . . . incident-management exercises which have tested our ability to respond to terrorist attacks.

This sounds like a plan for successful action. But, this statement was made in 1981. Since then the violence has continued, in fact worsened, as demonstrated by the bombings of American installations in Beirut and the loss of hundreds of lives.

Our witnesses are noted experts on the subject of terrorism. I am interested in their views on whether we have reached a significant turning point in U.S. counterterrorism policy and whether new policies are relevant to new threats.

I concur with Ambassador Jeanne Kirkpatrick's characterization of terrorists—they are the "shock troops" of war. I find myself wondering whether we are watching this war take Americans lives or whether we are prepared to effectively wage it.

Finally, it seems that for all our concern and good intentions in preparing to respond to terrorist attacks and threats, it is clear that an effective deterrent can only result from a coordinated effort of all agencies and organizations with a hand in carrying out American foreign policy. I believe these hearings are especially timely in that respect, for the fact that we have seen increasingly creative and effective terrorist activity, despite our greater awareness of the threat, suggests the need to reexamine our approach. These hearings should help us determine the extent to which we need to redirect our focus in the conduct of foreign relations to better detect and deter, and if necessary, retaliate against, terrorists operating against United States interests here and abroad.

Chairman **Thurmond**. Our first witness today is Mr. Brian M. Jenkins. Mr. Jenkins is Program Director, Security and Subnational conflict at the Rand Corp. He is a leading authority on all aspects of terrorism and will address trends in terrorist activities and relationships between terrorists and drug traffickers.

Mr. Jenkins, we are glad to have you with us.

You may now proceed.

STATEMENT OF BRIAN JENKINS, PROGRAM DIRECTOR, SECURITY AND SUBNATIONAL CONFLICT, THE RAND CORP., SANTA MONICA, CA

Mr. **Jenkins**. Thank you very much.

Let me briefly summarize some of the recent trends in terrorism.

First of all, there is progress. Governments have become tougher and more proficient in combatting terrorist elements. Thousands of terrorists worldwide have been arrested, and the level of terrorist activity has declined sharply in several European countries. Some terrorist groups have been virtually destroyed; others are being hard-pressed by authorities and are beginning to show signs of a long struggle.

But terrorists also have demonstrated remarkable resiliency and recuperative powers, and despite the setbacks, they continue to fight.

Indeed, despite these undeniable successes achieved by governments, the total volume of terrorist activity worldwide continues to increase, although the number of incidents in 1983 and 1984 has leveled off somewhat.

At the same time, terrorism also has become bloodier. The number of incidents with fatalities continues to increase. A more alarming trend in the 1980's is the growing number of large-scale indiscriminate attacks by terrorists.

Most incidents of international terrorism continue to occur in Western Europe, followed by the Middle East and Latin America. Few terrorist incidents occur in Eastern Europe or the Soviet Union, Asia, or the Pacific. This pattern has continued for 10 years now and seems likely to prevail. We may, however, witness in the future increased terrorist violence in Asia and the Pacific region.

At the present time, the principal terrorist threats to the United States come from the Shi'ite fanatics in the Middle East, terrorists exploiting anti-NATO and anti-American sentiments in Europe, and attacks directed against Americans in Latin America as a result of United States drug enforcement activities.

Domestic groups pose no significant terrorist threat in the United States. However, foreign-based or foreign-instigated elements may be capable of carrying out isolated attacks, although they probably could not wage sustained campaigns of violence in this country.

Terrorist tactics have changed little during the past decade. Barricade and hostage situations, in the form of embassy seizures, for example, a very popular terrorist tactic in the 1970's, have declined, while terrorists have increasingly used car bombs to deliver larger quantities of explosives.

Suicide assaults have limited appeal, even to religious fanatics, and are unlikely to become a popular terrorist technique worldwide.

In terms of targets, we face the problem that, for terrorists, anything can be a target. They concentrate on symbols of government, the economic system, or the policies they oppose.

Right now, to give an example, Shiite extremists in Lebanon hold five Americans hostage—a diplomat, a newsman, a librarian, and two priests, a collection representing Western political influence, Western media interest, Western secular edcuation, Western humanitarian aid, and Western religious faith—all of which they object to.

A handful of countries suffer a disproportionate share of terrorist attacks. American citizens and facilities abroad are targets of approximately 30 percent of all international terrorist incidents. Five countries alone account for about half of all the terrorist targets.

We are likely to remain the terrorists' preferred targets, a price we pay for our influence and presence in the world.

Although it is hard to measure with precision, it is apparent that a growing number of governments are now using terrorist tactics themselves or employing terrorist groups as an instrument of foreign policy or as a means of waging surrogate warfare against their opponents. State sponsorship puts more resources into the hands of the terrorists and reduces the constraints on them, permitting them to contemplate large-scale operations, as we have seen in Lebanon.

Beneath these dramatic manifestations of terrorism, a more insidious trend is developing. Terrorism is becoming institutionalized and, to a degree, legitimized. We are finding it difficult and potentially costly to combat state-sponsored terrorism. Some nations are turning toward appeasement.

The use of terrorist tactics seems likely to persist as a mode of political expression for extremists, a mode of warfare among nations. I foresee no great change in targets or tactics. Terrorists are likely to rely on traditional weapons—guns, explosives. fire. Large-scale attacks seem likely to become more common.

We can only speculate about whether terrorists will employ chemical, biological, or nuclear weapons as instruments of mass murder. Technical and self-imposed political constraints will continue to impose limits to the violence, although these seem to be eroding.

However, chemical and biological scares in the 1980's may come not from those we call terrorists, but rather from the time bombs of toxic wastes; industrial disasters, such as Bhopal; undetected mishaps, like the recent salmonella problem, individual lunatics; and criminal extortions.

We cannot expect to eradicate terrorism any time in the near future. It has become a chronic problem, and combating it will demand continuing attention and probably a continuing and growing diversion of our resources.

Chairman THURMOND. Thank you.

We are also pleased to have here today Mr. Ray S. Cline, Georgetown Center for Strategic & International Studies.

We will hear from you, Mr. Cline, and then we will have questions for you both.

STATEMENT OF RAY S. CLINE, CENTER FOR STRATEGIC & INTERNATIONAL STUDIES, GEORGETOWN UNIVERSITY, AND FORMER DEPUTY DIRECTOR, CENTRAL INTELLIGENCE AGENCY

Mr. CLINE. Thank you very much.

I would like to congratulate the distinguished Senators who have convened this meeting, and I would like to congratulate them on their opening statements. In my view, it is long overdue that the Congress discover the gravity of the situation that we are confronting. I think it is clear that the gentlemen who have arranged for this session do see the problem in its clearest outlines.

I would like to take just a few minutes to supplement what has already been said by referring to the far-ranging strategic consequences of the phenomenon we are facing.

I have been a student of this international disorder, criminal activity, mode of conflict, for many years, and I believe that it is only in the last 2 or 3 years that scholars, as well as officials, have focused on the difficulties we are confronting.

Let me make clear what I mean.

I believe that the best working definition of terrorism is the deliberate employment of violence or the threat of the use of violence to commit acts in violation of law for the purpose of creating overwhelming fear in a target population larger than the number of victims attacked or threatened.

Now, that is a complicated definition, but it makes clear that we are not usually concerned with isolated acts of people with legitimate grievances.

Now, I am often asked whether I blame the Soviet Union and the Communist states for all of the terrorism in the world. Obviously, to say yes to that question would be foolish.

But I do blame the Soviet Union and, in particular, its client states who have formed a coalition for creating an infrastructure of terrorist activity, namely, Cuba, Syria, North Korea, Vietnam, East Germany, Bulgaria, and Czechoslovakia. These states and others have created a system of exporting terrorism by finding grievances in parts of the world where it benefits the Soviet Union to have political instability, and economic instability, and social disorder, and to create the physical conditions and the psychological conditions that make terrorist acts possible and, in the minds of the people who commit them, desirable.

I first encountered terrorism in Southeast Asia in the 1950's. It is not a new phenomenon. If you ever went through Laos, Cambodia, and Vietnam in those early days, when the North Vietnamese communist regime had passed a resolution in their Communist [Lao Dong] Party to create disorder in those parts of Indochina not controlled by the Communists and to seize control of them, you would discover that very coldblooded terrorist murders and harassment of the local people was a very important part of the war which was fought against South Vietnam and has ended up in total Communist control of South Vietnam, Laos, and Cambodia. It is not a new phenomenon.

In fact, because I am mainly concerned with studying Soviet strategy and Soviet policy, I usually call this phenomenon the legacy of the age of Yuri Andropov, the distinguished Soviet leader who led the KGB from 1967 until he became head of state, and, fortunately for us, had a brief period of leadership of the Soviet Union. During all of that time, from 1967 to the present, the Soviet Union has deliberately trained, funded, provided psychological encouragement, and often very material assistance in the form of communications, diplomatic pouch support, provision of guns and explosives to terrorists who would operate in certain selected areas of strategic value to the Soviet Union.

For this reason, I want to call your attention today especially to one variety of terrorism which I think is more important than the others, and that is state-sponsored terrorism.

In using the definition which I suggested, I would only add to this criminal activity that I have already described the following characteristics: encouragement by a national sovereign state of these acts for a strategic and political purpose, to describe today's most common kind of terrorism.

Now the Soviet Union is one of the principal actors in this state-sponsored terrorist scene. Of course, the Ayatollah Khomeini in Iran is a wild card in the terrorist deck who has his own objectives, but who, indeed, cooperates with many of the activities supported by an important group of Soviet surrogates in Lebanon. The combination has nearly destroyed that once prosperous state.

Colonel Qadhafi in Libya is another wild card, playing his own absolutely uncompromising, fundamentalist Muslim terrorist game, but playing it with Soviet weapons, with money which he passes out to people who are also pursuing Soviet objectives.

So, I would like to make clear that I think the main goal now of terrorism that we must learn to combat, must learn to penetrate in its planning, in its character, is state-sponsored terrorism, which is designed to undermine the psychosocial stability and political governability of pluralist states, states associated with democratic aspirations, and with representative governments.

There is no need to ask what is the target of this organized, nationally sponsored terrorism, often exploiting innocent and ill-informed people, some of them with legitimate grievances. The target is us, the democratic states.

The question before this country is whether it can deal with this phenomenon, can learn to counter the threat to us, and our friends, and our interests abroad, in the same systematic way that we have countered the nuclear weapons threat. In recent decades, we have managed to balance the forces so that we are not the victims of nuclear war. We have managed to create conventional military strength which restrains direct military aggression. We have not found the countermeasures that really will protect us from this new danger, a strategic danger. It is because I feel that the activities sponsored by states—in most cases carried out by fanatic terrorist groups in the Mideast, in Central America, where Cuba and Nicaragua are the center, and in Southeast Asia—will determine the crucial question of our time that I am so delighted to hear these committees focus on this question.

The fact is this kind of terrorism serves the geopolitical purposes of our enemies, of people who believe that democracy and representative government are wrong, and that they must be replaced by totalitarian governments.

All of these groups, even in our own Caribbean front yard—many people call it the back yard, but I think it is our front yard—are using propaganda provided from Leninist-Marxist states, weapons, proxy police and military forces from East Germany, Cuba, and other client states, to feed the fires of conflict. So the issue is whether in the end the kind of peace that is established is the peace of the ballot box and the free market for economic activity, or whether it is a peace of the Gulag.

That is the issue that is confronting us. It is worldwide. It is not a series of isolated incidents. I feel so strongly about this that in the last 4 years I have published two books on the subject of terrorism and the Soviet connection with it. I think the evidence is unmistakable for those who care to read and study this matter.

Thank you very much, gentlemen.

Chairman THURMOND. The distinguished Senator from Indiana.

Chairman LUGAR. Mr. Chairman, are we to have a round of questions now?

Chairman THURMOND. Yes, I thought we would have a round of questions.

Chairman LUGAR. Very well.

Let me say at the outset that I appreciate, Mr. Chairman, the leadership role that Senator Trible of Virginia is playing in these hearings. He will be largely responsible for leadership on our side of the Foreign Relations Committee in the next 2 days of hearings. I am very pleased that he and Senator Dan Evans of Washington have joined us for the hearing this morning.

Mr. Cline, if your theory is correct that state-sponsored terrorism is at the heart of the matter in most of the serious instances, how does this help us in fashioning our response? I would suggest, for example, if the Soviet Union is playing a substantial role in many of these activities, then, logically, our response ought to be retaliatory against the Soviet Union.

What larger problems of difficulty does this bring to us? Or, in your judgment, are there retaliatory measures that can be taken against the Soviet Union if we believe they are responsible, or other states—Syria, for example, and Iran come to mind—that are appropriate without escalating potential conflict into world war or into a limited regional war?

Mr. **Cline**. Mr. Chairman, I believe that what is essential is for us to develop a public understanding of the accountability of states for their actions in this kind of covert warfare, which is what it is, undeclared warfare, in the same way that we would if we were directly attacked with military force openly.

Now, that does not mean that in these circumstances in which I assure you the Soviet Union is very careful to cloak its activities in a layer of proxy performances by other peoples, a response by the United States will result in a direct military confrontation.

My strong conviction is that the Soviet Union has turned to these measures because it finds it unattractive and undesirable, from its own interest point of view, to engage in direct military conflict with the United States.

But the international law is so vague on these points that it is a free lunch for those who support this kind of violence. I believe that if we can, by diplomacy and direct calling of facts as facts, which we tend to be reluctant to do, explain what we mean exactly by terrorist activity that is criminal if we explain that a conspiracy to commit a crime is also a crime in most courts of law and ought to be at least considered as reprehensible in international affairs, I think we can call the Soviet Union to account in a court of opinion that they will be sensitive to.

Now, that will not solve the problem, but it is the way to proceed. And if we combine a political and legalistic approach, which, after all, is the essence of our system, to define illegal acts and to apply the law equally—that is the main difference between our system of society and the Soviet system—we can make our point and combine it with direct action of the kind that we have been talking about recently, but not yet been able to conduct efficiently, that is direct preemption or retaliation against the terrorist groups themselves. I think the combination of public condemnation and direct response will create a deterrent to this kind of campaign which does not exist today because we neither blame the Soviet Union, or its client states, nor do we take any preemptive or punitive action.

It is the combination of those two approaches that will make this tactic unattractive just as we have succeeded in making direct military attack unattractive.

Chairman **Lugar**. Mr. Cline, as a matter of our own policy, many Americans have been opposed to covert activity. President Reagan has indicated that covert activity ought to play a part of our policy with the checks and balances provided by law and the oversight of congressional committees.

You are saying, I gather, that you believe state-sponsored terrorism is largely of a covert character. In other words, the Soviet Union, if involved, would try to shield recognition of that involvement so as not to have a confrontation of military consequence. Perhaps as a finding of these hearings, we ought to reinforce the thought that we need a covert response within the framework of law and the checks and balances that we have.

I suppose I would like your judgment generally as to whether, on the basis of the experience that you have had—and it has been extensive—that we are prepared to mount the kinds of responses, covert or otherwise, that would be required given the gravity and number of terrorist attacks that you have outlined today.

Mr. CLINE. Mr. Lugar, I think your analysis is very sound. It is getting at the heart of the problem. Covertness and secrecy are a very limited part of the tradition of this country, although they do go back to George Washington and the times of our revolutionary founding, when covert activities and secret intelligence were, indeed, the answer to the revolutionary success of our Founding Fathers and to the covert assistance which the kingdom of France then gave to us during our Revolutionary War years.

We need to awaken in our people an awareness that there are some threats, some challenges to our security, which are secret, which are covert, which may need to be met with a counterresponse in the same mode.

Now, Mr. Lugar, I want to make clear, because I was in the Central Intelligence Agency for so long, that I am not in favor of indiscriminate use of covert activities. I think they should be very selective, very carefully chosen, when there is no better alternative. If, by open methods of diplomacy or even military confrontation, you can deter and stop a challenge, you should do so because that is an effective measure. But in this kind of warfare, where hidden sources and hidden methods are common, often secret intelligence is the only way to find out what is happening, and secret measures to preempt are the only way to stop the threat.

In those cases, I think we should do it.

Now, to answer your question directly, I regret to say, based on my now 40 years of experience with intelligence activities—although the last 10 have been outside Government—I believe that we have suffered in the mid and late 1970's a serious decline in our intelligence capability, for obvious reasons, such as the rapid changes of Government, administrations, and the congressional inquiries which focused on abuses more than on capabilities. In the late 1970's, there was a very serious decline in the capabilities of this Government to defend itself by collecting and analyzing intelligence, and, in particular, by conducting the kind of covert actions which, selectively used, would decrease the dangers against us.

I think that President Reagan and Bill Casey have done a heroic job, and Secretary Shultz has supported them in making clear that intelligence and the secret response to secret attacks may be needed and should be created as a real capability in the arsenal of our self-defense.

This is legitimate self-defense, to protect the destruction of Americans and American interests abroad from terrorist activities. It is entirely justified by the U.N. Charter and by all principles of international law. So we should not feel secretive about it and we should build the covert capability for selective response that would be quick and efficient and that absolutely articulated the precise danger that is confronting us. It is a much more subtle surgical scalpel than a total military confrontation.

It is not necessary to meet violence with counterviolence. It is better to meet violence with brains and foresight.

Thank you.

Chairman **Lugar**. Thank you.

Thank you, Mr. Chairman.

Chairman **Thurmond**. Thank you.

The distinguished Senator from Alabama, Mr. Denton.

Senator **Denton**. Thank you, Mr. Chairman.

Mr. Jenkins, I do not want to be wordy, but the issue is subtle and I believe critical. We have an example, illustrated in the documentaries of World War II which are now playing on television, particularly educational and public television, showing a nation going down, allegedly because of a spirit of defeatism among its politicians and some of its military leaders. Without reaching any conclusions that might be critical of the politicians and military leaders of France in 1938, 1939, and 1940, my question addresses the need and possibility for, in the United States, a will to win when such a will is essential to the preservation of the security of the Nation, the survival of its freedoms, indeed, the physical security of its people.

The influences which affect the will to win in just situations, necessary situations, have to do with understanding the issues and we have a situation which has developed, perhaps over decades, but particularly with the advent of television, in which explicit violence is shown in reporting conflict in wars or military confrontations of various kinds.

Many would say that if World War II had been subjected to the same violence-explicit media scrutiny as Vietnam, America would have surrendered soon after Pearl Harbor.

Being a friend of Barbara Tuchman, I have often said in my modest efforts that for "The Guns of August," the timeframe of August 1914, would have resulted in surrender on the part of the allies had it been brought home to Paris and London with the same completeness or incompleteness, depending on your point of view, as it was during Vietnam.

The pattern of media influence on policy has been the same since the Vietnam war through the hostage rescue attempt and the loss of our marines in Beirut.

Now, I am not criticizing television for this. I am simply saying that what is displayed to the minds and hearts of the American public are the horrors of war as opposed to the issues which led to the decisions to participate. We seldom show that the alternative to the hell of war was worse than the war itself.

The Civil War might be an example of that. The institution of slavery was a greater hell, caused more indignity, and injustice, as a net horror than did the actual war.

That is the decision that any national leader should make, any military man should make, any national security advisor should make, in discussing a war. It is hell—or any small increment thereof. For example, when we invested 2,000 marines in Lebanon, the media began harping on the possibility of some of them getting injured or killed.

That investment of marines, wise or unwise, was doomed to failure. The terrorists knew the answers in their minds to the question: What will America do, what will the United States do to us, the terrorists, or to us, the state that backs that terrorism, or the political group or the religious group that backs that terrorism if we harm those Marines?

Now I ask if in saying over and over "those marines are being attacked, we've got to get them out of there if any more get hurt," I ask if we did not effectively signal the answer to the question.

This is a great country with great power. I do not say the peacekeeping force was wise or unwise. That is begging the question. But, having put them in there, should we have eliminated the question in the minds of those who would attack them as to what we would do about it? Or did we not supply the answer: you attack a few more and out they come?

I believe the media and Congress signaled the answer to the question and told them we would withdraw.

So, we have to be willing to sustain losses or make mistakes—and we are going to make them. War is tougher than a football game and almost everybody makes a mistake in a football game, usually every other play. Lately, whenever this country uses force against force, the media steps in with its hyped, full color coverage, lots of criticism, and the Government backs off in fear of losing popular support. I believe that has been the reason for our lack of success in foreign relations since about 1967.

What should be minor losses or temporary battle losses turn into full defeat. I believe we must be able to develop the will to win in just causes, in essential causes. We must be willing to accept our losses for a just and winnable cause, or we are not going to win anything. If we do not, we are not going to survive.

My question is this: Can the United States develop an understanding of the tough and dirty ballgame our adversaries are playing? Under the present circumstances, can the United States develop the will to protect its legitimate interests?

I think we have given enough objective, bipartisan thought to strategic nuclear planning in both the media and Congress. But we have not developed sufficient understanding through discussion of the manner and the degree to which U.S. interests are being eroded by the ongoing use of the full spectrum of conventional terrorism, ranging from Marxist repression over the miserable citizens in Managua to the international form of terroristic warfare mentioned by Mr. Cline, and now being waged overtly in Cambodia, Laos, and Afghanistan, South Africa, and other places. What effect does terrorism, repression, drug trafficking and insurgency have on our interests? What are our national goals against the terrorism from Nicaragua, or in Colombia, or in Bolivia, or against drug-related terrorism?

So, the question affects the prospects for our national survival. Do you agree that the answers to these questions are important, and would you discuss the rationale behind those questions.

Mr. Jenkins.

Chairman THURMOND. Before you start, Mr. Jenkins, I have another commitment and I have to leave.

I am going to ask the distinguished Senator from Alabama, the chairman of the Subcommittee on Security and Terrorism of this committee to take my place.

I want to say, in asking him to do that, that he was a prisoner of war in Vietnam for 7 years. He knows what terrorism is. He has studied terrorism all over this country and throughout the world. We are very fortunate to have Senator Denton as chairman of the Subcommittee on Security and Terrorism.

I want to thank him and I also want to thank the distinguished and able Senator from Indiana for their deep interest in this subject.

I think people are beginning to see now that terrorism is another method of warfare. We must learn more about it. We must learn to cope with it and to be prepared to act and take the steps necessary.

Ordinarily, if a country has the ability to act and has the will to act, a deterrent generally occurs. We do not have a war when other countries know we are prepared and we have the will to act. It takes both.

If you would now take over, I would appreciate it.

Mr. **Jenkins**. Senator, the question you ask is a fundamental one and a complex one. I am not sure that I can be as eloquent in the answer as you have been in asking it.

You are quite right in pointing out that the greater exposure of the horrors of war through the media has made that type of conflict increasingly unattractive in the world, not only for us, but for a number of nations. Indeed, we look forward to an era of warfare in the future which is going to be quite different from the warfare that we saw in the first half of this century.

We look forward to an era of warfare in which at times limited conventional combat will be replaced by or accompanied by guerrilla war, classic guerrilla war, as well as by international terrorism, or a mix of these things; we can expect to see an era of warfare that may be less destructive than the two World Wars were in the first half of the century—after all, those wars produced 60 million casualties, 60 million deaths of soldiers and civilians—but at the same time an era of warfare that is less coherent. It is that quality of this new era of conflict that I think makes it so difficult to develop and maintain the understanding of the issues involved and, as you describe it, the will of the American people to engage in that kind of conflict.

Senator **Denton**. Mr. Jenkins, I know you won't mind yielding to this point because I am sure it is inherent in what you are referring to. Neither of us is advocating war. We are trying to develop the necessary understanding and the will on our side to deter the other from continuing to destroy our interests and our freedoms.

Mr. **Jenkins**. Yes, I agree with that.

The point is that we are really looking forward to this very murky kind of warfare, and it is very difficult to get people to understand what are the issues at stake, what are the strategies and tactics being pursued, and how can we effectively combat them.

I would hesitate to underestimate the will of the American people in combating terrorism, as in dealing with any other type of adversary. If the American people can be shown by their leadership that there is a way of confronting and successfully dealing with this terrorist adversary, I have no doubt that the will exists in this country to do that, because there is a tremendous sense of outrage and frustration on the part of the American public at our seeming inability to successfully grapple with our terrorist opponents.

In part, I must say, this begins with leadership. We have gotten into a notion that wars are a little bit like toothpaste that have to be "sold" on television; that wars have to be popular; that we are worried about casualties because then their popularity will decline. We have all sorts of defense analysts looking at casualty rates and Gallup polls to indicate just where we are in this sales campaign of warfare.

War is not something which is meant to be sold. War is a necessity. It is a measure of last resort. When we engage in a military contest, hopefully it will be for what are defined and agreed upon as our legitimate interests. This is another problem area. Those will be articulated by our leadership, and they will give a clear understanding, as have presidents in the past, that there are going to be sacrifices necessary, that waging war is not something which comes cheaply, is not something which is popular. We sustained tremendous casualties during World War II. World War II was not less popular or more popular because of that. Nobody likes casualties. It was considered a necessity. It was the price we paid to achieve what was considered the vital goal of survival of our Nation.

We have not been able to translate that into the kinds of conflicts we have waged since then. Certainly we were not able to do that in Vietnam. We have not been able to do that in combating terrorism.

What we have had, instead, is, at times, rhetoric that has tended to be empty rhetoric. Mixed signals out of government, as one portion of government says one thing and somebody else in government says something else, thereby not really giving a clear indication to terrorist adversaries or to their state sponsors of just where is that line which, if crossed will provoke a vigorous response, if necessary a military response, by this country.

Our terrorist adversaries do not have that understanding. The American people do not have that understanding.

This is something that has to be developed, and it is going to be very, very difficult, given the nature of the conflict that we are involved in here.

Senator **Denton**. Thank you.

Yes, Mr. Cline.

Mr. **Cline**. Mr. Chairman, may I just add a word?

I think your question, as you said, is rather subtle and profound.

In the first place, I would like to make it clear that we suffered not only a great tragedy and a strategic defeat, but a psychological defeat in Lebanon in the events you described. I would like to quote for this group a speech made by Qadhafi of Libya only recently, on March 28, 1985, in which, among other really outrageous things he said about conducting terrorist activities because they were right, he said the following: We are reviewing events, we are wanting to learn. The lesson is that America was kicked out of Lebanon when an individual Arab was able to kill 300 Americans. They made some calculations in the Pentagon and said one person in a car full of explosives will die, but 300 Americans will also die. Therefore we cannot resist this Nation. This is why America, he says, "regained its reason" and withdrew.

That is the lesson that the terrorists drew from our lack of will, which I think was more a lack of clarity of purpose, of why we had sent our Marines there and what we wanted them to do.

The second point I wanted to make follows from that.

The hostile states that sponsor terrorism are very clear that terrorism is a bit of street theater. It is a form of a dramatic presentation of ideas, and the target is the American public. That is why television is such a beautiful instrument for them. If our television reacts innocently and descriptively, they give the terrorists a magnificent chance to sell their message, which is they will win and it is foolish to resist, that Americans are not able to, smart enough to, nor determined enough to resist this kind of attack.

So there is a critical need, especially for the leaders of our Nation, to describe to their constituents and to the public and on television the dimensions and the truly psychological and strategic dimensions of the danger we face. Otherwise, we cannot generate the understanding which will give the public support we need.

The North Vietnamese, the Libyans, the Soviet leaders themselves are all crystal clear that the place to win these kinds of clandestine struggles usually is in the capital of the opposing country, right here in Washington, DC.

Senator DENTON. If I may say so, before passing it back to Chairman Lugar for questions from his committee, that point was driven home to me and other senior prisoners in Vietnam over and over. We would hear lies on the English language version of Moscow radio, three absurd sentences in a row which, in interrogation, we would spiritedly say the American people would never buy that. They would laugh and say just wait and see.

Within 2 days, the same three sentences were being hammered home as a matter of reportorial emphasis. I do not find that culpable, but I find it unfortunate, to the point at which, within a day or so, some leader in Congress was repeating the same three lies as if they were truths.

I do not want it to be believed that I resent terrorism because it was applied to me. I am aware of it and resent it because I saw it applied to the Vietnamese people. I saw it applied in a manner that won Southeast Asia for the Communists.

I am not in favor of war. I want the other side, a bad side, to not engage in war, as they are doing today, against the interests and the survival of freedom in the world. I want to restore our credibility with our allies that we will back them up; because, as you have pointed out in both your statement and in your book, for 30 years or more in South America and Central America, they have had near coups or coups as a result of Communist terrorism. Our friends are very worried about the fact that the United States did not give the Shah of Iran a place to die, we did not win in Vietnam, and we did not handle the rescue of our hostages in Iran nor the Beirut situation credibly.

We are not necessarily a healthy friend to indulge.

Thank you, Mr. Chairman.

Chairman LUGAR. Thank you, Senator Denton.

Senator Trible.

Senator TRIBLE. Thank you, Mr. Chairman.

Gentlemen, in the preceding colloquy, I think you were able to state rather artfully the challenge of public policymaking in the 1980's. The world is very muddled, it is much less coherent than it has been in years past, and yet the threats are very real, only they are harder to define. So this makes the formulation of an appropriate response far more difficult.

But that is a matter of leadership, after all. I think that many of the leaders of today lack the capacity to formulate responsible policy. However, I believe that the American people have the will to respond.

I must say, perhaps speaking for a new generation of Americans, that I believe we have the capacity to change this world for good. I believe we have within us the ability to lead this world and to act in a fashion to protect and promote peace and freedom.

That is what these hearings are all about.

I would say, also, that there are a host of post-Vietnam Americans who believe that America does have a responsibility in the world, and that it is our purpose to promote good in this world, and that our responsibilities extend far beyond our borders.

It is interesting to see how the political process has been reshaped. For so long the other party believed that the world should be made safe for democracy. It is the other party that led that quest for decades, when members of my own party so often advocated isolationism.

And yet today the places have changed. It is the Republicans who are the advocates of internationalism.

I would note the presence of Senator Leahy and regret that he must leave. In addressing the issue of a response to terrorism, we have talked in very broad, theoretical terms about the problem.

Can you be more specific in setting forth what steps are necessary for us to respond more effectively, from the standpoint of public policy, from the standpoint of perhaps strengthening existing agencies.

I would like both Mr. Cline and Mr. Jenkins to respond, if you would. As specifically as you can, please make recommendations to this committee so that we, in turn, can share it with our colleagues.

Mr. **Jenkins**. Let me say that in looking back on how this country has responded to terrorism, the role of legislation is quite limited; we have adequate laws to respond to terrorist activity, and we have the agencies and organizations to carry out that response. Indeed, if one looks at the record of terrorist activity in this country, they have been remarkably effective in doing so. We have not been entirely immune from terrorist violence in this country, but it represents overall a miniscule contribution to the total volume of violent crime in this country.

When we talk about terrorist activity directed against Americans abroad, again it is not so much a matter of legislation; it is a matter of the abilities, the capabilities, of the various agencies of the executive branch of Government with regard to sources and competence and successful execution. In this regard, the role that Congress has played has been twofold. I think in both cases, it has been a useful role.

No. 1 is to act, in a sense, as a prime, to encourage the executive agencies to devote sufficient attention, devote sufficient resources, and try to develop those capabilities further.

Now obviously that is something you cannot legislate. You cannot legislate competence; you cannot legislate a degree of concern.

Senator TRIBLE. Are you saying, then, that we need to upgrade our intelligence gathering capability?

Mr. JENKINS. I am saying that part of the role of Congress has been simply to act as a prod. Second, when the executive branch has come before Congress—at least in those cases to my memory—and asked for something specific that has required greater resources to combat terrorism, the legislative branch has been forthcoming in providing those resources, whether for increased intelligence activities or for increased security of our diplomats abroad, or for whatever reason. This branch has provided what was needed, as long as there was a specific request for something that it could provide.

Where are the areas that need building in the executive branch? Intelligence remains a problem. I do not think, in my own view, that it is so much a matter of resources anymore. This administration, in particular, has devoted increasing resources to the intelligence community. It is going to take a long time to come back from the decline that Mr. Cline spoke about, particularly with regard to intelligence in dealing with terrorism.

In addition to the limitations placed on the intelligence community in the 1970's, in the wake of the abuses that were revealed and some of the legislation and guidelines passed, there was another tendency that has caused us some difficulty, that is, there has been a tendency within the intelligence community to go for more and more high-technology intelligence. It gets us into less trouble, using things that fly, things that can listen at great distances.

But when we talk about terrorism, we are talking primarily about human intelligence. I am not saying that high-technology things cannot contribute to the effort, but intelligence about terrorism is primarily human intelligence. We do not have radars to warn us of incoming terrorists.

Human intelligence takes years to develop; we lost the capability there, and it will take years to get that back.

Again, dealing with the problem of terrorism in the intelligence community is not a matter of resources so much as it is, in my view, a matter of priorities.

What is very, very interesting is, despite a great deal of public rhetoric about the importance of this problem of terrorism that confronts the United States, it is still very difficult to translate that real concern down through the various organizations into a working level of concern. I am not entirely convinced that when we step below the ranking leaders in each of the government agencies and departments involved, we find the same level of concern that is expressed by the leaders. We find different sets of priorities, and I think that the issue of terrorism tends to kind of fall off a cliff and drop way, way down on the priority list. So the real issue is not resources; it is a matter of priorities.

This is part of the problem.

I think we also have to be realistic about the fact that our intelligence capabilities, particularly in difficult areas of the world such as the Middle East, despite the resources, despite the efforts, are going to remain pretty limited. Uncertainty is a feature of this type of warfare, and the notion that we must pin every response upon perfect intelligence is just another way of saying that we are not going to respond because we do not have perfect intelligence. We did not have perfect intelligence in World War II. We have never had perfect intelligence. So we cannot set impossibly high standards and use them as a prerequisite to taking any action.

As I said, uncertainty is a feature of this area of activity.

There are other areas which need to be explored beyond intelligence. I think the issue of whether and how the United States will respond with force, whether overtly, using the armed forces of this country, or covertly, is still very much a matter of debate in this country, in Washington, in the Government. To a certain extent, the publicized aspects of that debate, as I indicated before, have sent mixed signals to our adversaries. Our adversaries have some vague notion that there is some line which if crossed will provoke a response. Some of the statements have tended to make them uncertain about where that line is. It is not to our advantage that they have some notion that they can push very, very hard without provoking a response.

I think we also have to further explore the area of nonmilitary responses—diplomatic sanctions, political sanctions, economic sanctions. Those are very, very difficult to apply in today's interdependent world. Very frequently, economic sanctions hurt those doing the application more than the targets. But this is something we have to explore further. Maybe in some cases we have to sustain some pain at home, some loss, in order to inflict some degree of cost upon our opponents.

Senator **TRIBLE**. Can you give me an example of a nonmilitary sanction that you might advocate?

Mr. **JENKINS**. Well, for example, take the case of Libya, which is perhaps one of the most blatant cases of overt, avowed sponsorship of terrorist activity. Despite at least two warnings from the President, we still have a large number of American nationals living and working in Libya. There is still a certain amount of trade going on with Libya. Our allies have not been persuaded to reduce their business activities with Libya. At one time it was perhaps justifiable, since, given the shortage of oil and gas in the world, they were highly dependent upon Libya. But that is no longer quite the case. There are alternative sources now. It is a question of the degree to which we are willing to take measures ourselves and enlist our allies. Our allies have been criticized in many cases, and sometimes deservedly so, for not joining in American initiatives against terrorism.

But there again, I think it is a matter of the European diplomats—at least the European diplomats that I speak with in an unofficial capacity—saying if there are concrete steps to be taken, if there is a concrete program to be followed, then that is something we can talk about. If there is something we can do, then let's talk about it and potentially do it.

But rhetoric about joining, in a sense, in further denunciation of terrorist activity to go along with the previous 300 denunciations of terrorism is not something that particularly attracts them.

So this is something that we can explore: How to apply these measures and how to orchestrate these.

When I say nonmilitary measures, nonmilitary sanctions, I do not mean here that we ought to use one as opposed to the other, that we should have a military array or a nonmilitary array. We may really want to think of posing our adversaries—the terrorist perpetrators, particularly the state-sponsored ones, because they are the ones that are vulnerable to this—with an entire array of diplomatic and economic and potentially military activities, overt activities and covert activities, and orchestrating those in such a way that our opponents have to deal with a variety of things, without pinning everything on whether or not, in fact, we can respond militarily or whether or not an economic sanction by itself has an effect. An economic sanction, perhaps coupled with a military move, perhaps coupled with political efforts, can begin to impose some pain on our adversaries.

Now one difficulty we do have in Government in doing that is that we do not have the machinery in the executive branch for coordinating, for orchestrating, for pursuing that kind of campaign. We have a State Department and they have certain capacities to deal with it. We have a Department of Commerce. We have various military planning agencies in the Department of Defense. We have covert capabilities for the planning of covert operations. But where does the whole thing come together? Who brings together the entire array of activities to orchestrate and continue to follow through on these measures? Where does that reside in Government? What is that machinery? I am not sure it exists.

So there are some concrete steps that I think we can take in our own Government to begin to tell our adversaries, our allies, and indeed the American public, that this is war, a kind of warfare, a new kind of warfare, a difficult kind of warfare, but that we are prepared to engage in this kind of conflict and that conducting this kind of conflict against the United States is not going to be free of cost to the perpetrators or to the State sponsors of terrorist activity.

Senator TRIBLE. I thank you.

Mr. Cline.

Mr. CLINE. Senator Trible, you drive me to be so immodest as to recommend to you the study which I have just completed, which I hope will be a book shortly, on State sponsored terrorism, as done by myself and Dr. Yonah Alexander, my colleague at Georgetown, who will be appearing before this group.

Of course, I should say that we prepared this study for the U.S. Army, but it is the authors who are purely responsible for the conclusions, and in no way does it commit any official part of the Government to these views.

I would like to give you a few brief conclusions which I will read from it, and I would be delighted to provide any of you with a copy of this manuscript, if you like.

I conclude that what we need is conceptualization, formulation of goals and objectives. I say a major effort should be launched to adopt definitions and doctrine to establish an active counter-terrorism policy and a cost-imposing deterrent strategy. I think those words define much of what Brian was saying and what others have said.

But there are specifics.

First, you have to strengthen the intelligence capacity to collect and analyze intelligence on terror-prone groups worldwide and their links with one another and with State sponsors. We are beginning to do that. But we have tended to neglect it.

I think that we should adopt a Government-wide, comprehensive definition of terrorism, including the special reference to State sponsorship that I mentioned earlier.

I think we have to continue top level U.S. Government, and it must be congressional as well as executive branch, declarations of the dangers inherent in the current phase of State sponsored terrorism and U.S. determination to take measures of self-defense and deterrence, as it is entitled to by law.

While we should stress the nonviolent options of imposing costs on terrorists—and I agree that economic sanctions, if we pursue them consistently and firmly are an excellent remedy for some of the States that are so free with these activities, in sponsoring them—we will probably have to move on, then, to take covert action to spoil or preempt terrorist incidents when intelligence permits it without losing sources or taking acts that are inappropriate to the level of the crimes that we are dealing with.

That should be done without publicity.

We announce that we will do this kind of thing; but, as Secretary Shultz said, actions will speak better than words when we take such remedial responses.

Finally, I think, in cases of last resort, that we should openly, then, use special configuration military forces which the armed services have been training—a little belatedly, but they are taking this responsibility seriously now, and there are coordinating committees that would permit them to be used in the right circumstances—use these special configuration military forces for selective, active operations, attacking terrorists or their State-sponsored infrastructure of support. There are military measures which, if taken particularly against these proxy States which feel so comfortable in carrying out these policies against the United States, murdering American diplomats and soldiers, and destroying our installations abroad, I believe that we could sober up the leaders of that whole operations infrastructure by a few carefully selected responses.

At any rate, that is just the flavor of the recommendations that I would make. I think it is important for the Congress, which I believe it is intending to do, to enunciate a policy compatible with the executive branch approach, and then educate our people who have the right instincts but are, indeed, confused by the welter of voices and the rather bizarre reporting the media sometimes give, to know what they are up against and to expect a strong American response, as they would if it were a declared war rather than an undeclared war.

Senator **Trible**. Thank you, gentlemen.

Mr. Chairman, I appreciate your indulgence.

Chairman LUGAR. Thank you, Senator Trible.

I have no further questions.

Senator Denton, do you have additional questions?

Senator DENTON. I want to say, Mr. Chairman, that there is no one in this body whom I respect the intelligence of or the integrity of more than you. I hope I can impart that not only privately, but publicly. I am grateful that you personally took the time to attend. You acquiesced in the idea of joint hearings with the Foreign Relations Committee to expose what we have been learning, almost covertly from almost 4 years of hearings on this subject. Perhaps it has been imperfectly chaired, but it is frustrating that so much of our findings have gone undisseminated. I think there are considerations here which you and your committee will be able to take the initiative on as a result of learning more.

I want to make it clear to my friends in the media that I like journalists more than I like politicians. In college I studied to be a journalist. I do not feel any unfriendliness. I just feel a sense of frustration that our respective professions have created a situation that is unfortunate for our country. I do not believe that your institution is any more at fault than ours.

I would like to say in response to some of the statements that have been made that I believe the leaders of the Nation have a responsibility which is not being met; we are not establishing coherent public understanding, of the issue and what's at stake.

That came up candidly in a recent Republican caucus. Without being indiscrete I can say that a number of Senators stood up in the presence of several officials from the administration and belabored the President of the United States to speak out clearly and frequently enough on essential issues. One referred to covert aid to the Freedom Fighters, or Contras—depending on your point of view—in Nicaragua.

That senatorial belief was passionately held, but it was answered correctly by a member of the executive department who reminded us—that the President has made five major speeches on just that subject. Can you tell me anything else he has made five major speeches on? Only one of them was published outside the Beltway with any degree of completeness.

Now that is part of the problem. The media must assume the responsibility as well as the right to transmit what is going on up here, both in terms of the issues on the one side and the issues on the other.

I believe we are making progress though. In spite of the media's biased retrospective about Vietnam, at least we look back and try to analyze. I believe analysis and evaluation are key to future considerations on this subject.

Do you agree with this partial list of groups that are attacking the United States or our friends around the world. In England, we have the Provisional IRA, the Irish National Liberation Organization—they are attacking England and North Ireland. I am not addressing whether there are problems in Northern Ireland that need resolution and there certainly are people in Ireland, members of the Roman Catholic and Protestant Churches, who are trying to stop the violence. But, nonetheless, the Provisional IRA and the INLA are receiving aid from Soviet surrogates. West Germany, has the Red Army Faction; against Turkey, it is ASALA, and the Justice Commandos; against Israel, the PLO, the Islamic Jihad, and the AMAL; against Italy, the Red Brigade, the Front Line and scores of other groups; against Taiwan, it's the Taiwan Independence Movement, the World United Formosans for Independence; against South Africa and Southwest Africa—and again I am not saying there are not problems there—it is the African National Congress and SWAPO. Both groups were exposed in hearings in this room as having originally been legitimate organizations which have been subverted to Marxism and practice terrorism.

The United States does not appear to be aware of the Marxist factor. Because of our hearings, countries in Europe took note and it became a topic of discussions in their universities, in their media, and in governmental meetings over there. But not so in the United States. Our hearings were boycotted. After our first hearing, the headline in one of the papers was "Denton Fails to Prove Russians Controlling Worldwide Terrorism."

I said in my opening statement I knew they weren't controlling worldwide terrorism. They just provide money, arms, and training!

I would recommend that we jointly try to establish our objectives and understand what terrorism is. We must include the media, not as listeners, but as participants. Let's get together as Americans to see what our problems are.

Colombia is being attacked by the M-19, the ELN and FARC. Spain by the ETA; El Salvador by the FLMN; and we are not aware of the unity that is behind all of that.

I mentioned a common book, a book which is very much in use and studied in Detroit, MI, as well as Beirut, or in Shanghai, or wherever. It is the "Mini-Manual of the Urban Guerrilla" by Carlos Marighella. He wrote it in 1971.

I beg my colleagues to become familiar with that handbook and see the commonality with which it is being used around the world.

I have to quote one part of this manual. The method of operation is the same in so many countries and yet we are looking at each one of them as if they were unique events.

Here is what Marighella says. This is the modus operandum. "First the urban guerrilla must use revolutionary violence to identify with popular causes and so win a popular base." Then, the government—meaning the subject government which they are interested in overthrowing, and it is usually a free government, it is always a non-Communist government—"the government has no alternative except to intensify repression. The police roundups, house searches, arrests of innocent people, make life in the city unbearable. The general sentiment is that the government is unjust, incapable of solving problems, and resorts purely and simply to the physical liquidation of its opponents. The political situation is transformed into a military situation in which the militarists appear more and more responsible for errors and violence. When passifiers and right-wing opportunists see the militarists on the brink of the abyss, they join hands and beg the hangman for elections and other trite things, designed to fool the masses. Rejecting the so-called political system, the urban guerrilla must become more aggressive and violent, resorting without letup to sabotage, terrorism, expropriations, assaults, kidnappings, and executions, heightening the disastrous situation in which the government must act." Then he goes on to say that government is then held up for ridicule, criticism, and condemnation by the media around the world, and then a communist government replaces a better government, although a less perfect government than ours.

The African National Congress leader, Oliver Tambo, said that he seeks to use violence to provoke an over-reaction by the South African Government, thereby making South Africa ungovernable, on the Uruguayan model. If you are not familiar with that, please become familiar with that.

Gentlemen, can either of you comment on that?

Mr. **Cline**. Could I just add a word, Senator?

You bring up what I think is a critically important point.

There has been created, by the deliberate policies of a few states whom we have mentioned, particularly the Soviet Union, Iran, and Libya, but also North Korea, Vietnam, and some Asian states, a climate of violence which is causing many acts of terrorism, not particularly planned or intended by these sponsoring states. Those acts are carried out by all sorts of strange organizations with special grievances.

I was interested that you mentioned the Taiwan Independence Movement. Let me say that I am familiar with it, that it has a typically conspiratorial network of leaders belonging to different organizations with different names, and I think, often in some of their committee organizations, they are able to get a great deal of sympathy from the media and even from the Congress, because people simply do not know that their major stock in trade is assassination and psychological warfare against an organized government friendly to the United States.

This is true the world over.

Senator **Denton**. You would agree, I am sure, Mr. Cline, that there is a need to examine how the native Taiwanese population is treated, whether or not they are being moved up in the political participatory process. But, aside from that acknowledgement, the corruption of the Taiwan Independence Movement is a significant factor.

Mr. **Cline**. That's right, and, in fact, it is characteristic. The reason it is a good example is that, as far as I know, it was not directly controlled or influenced by the Soviet Union; but the climate of violence which is being created everywhere caused that group, the Taiwan Indepenence Movement and its subordinate groups, the United Formosans for Independence, and the Formosan Association for Public Affairs, to give up their efforts to win power by political and parliamentary methods, which were entirely open to them when they obeyed the law in their own country, and turn to these terrorist acts.

I remember very vividly when this group attempted to assassinate the man who is now the President of the Republic of China on a visit to this country about 15 years ago when I was in the State Department. A very successful visit was almost destroyed by a bullet which was fired and which, happily, missed by about 6 inches the guest of honor in this country. A group which has given up political remedies for freedom and turns to these acts is a danger to international stability, and we should be very clear about it in every part of the world. We should be just as outraged about the horrible terrorist performance of the North Korean Government, which destroyed I believe 13 of the principal leaders of the Republic of Korea in a ceremonial visit in Burma, by a very calculated terrorist campaign intended to kill the President. Again, the President, Chun Do Wan, fortunately escaped, being about 50 seconds late for the explosion of the bomb.

Senator Helms, who has joined us, I know is very aware of that Korean event because it occurred shortly after the destruction of the KAL 007 airliner when he was in Korea, and he came in on the next plane, a few minutes separate from the one that was shot down.

These are worldwide occurrences. When people ask me do you blame the Soviet Union for all of them, I say no, they could not possibly control all of them. But I blame them for propagating the doctrine that it is good, just, and fair, to use assassination, bombings, and political warfare against the democratic states because they have created an anarchic and violent situation in world affairs in the 1980's that we have not had for many years, and we must stop it somehow.

Senator **DENTON**. And you can blame the Soviets for the network of substantive support for all of those groups, irrespective of whether they are black or red terrorists. They are working to destabilize democratic governments.

Mr. **CLINE**. The practical infrastructure and the psychological and conceptual encouragement of a climate of violence—those things are reprehensible and we should hold anybody who creates such an environment or such an infrastructure accountable.

Senator **DENTON**. Mr. Chairman, I will defer to Senator Helms.

Chairman **LUGAR**. Yes, indeed.

The distinguished Senator from North Carolina is recognized.

Senator **HELMS**. Messrs. Chairmen, I thank you very much for delving into a subject that too few Americans know anything about. They assume that terrorism is something that happens elsewhere. As Ray Cline has indicated, he and I were pretty much eyewitnesses, a little bit removed, thank God, to the KAL disaster, which was a premeditated, calculated, deliberate slaughter of 269 innocent people.

What name will you put on it, Mr. Chairman, other than terrorism?

It so happens that this particular episode will live in my memory as long as I am alive. In the Anchorage Airport, just before KAL 007 departed, about 20 minutes before we did, two little girls, ages 5 and 3, sat on my lap. We played games. As they left with their mother and father, they hugged and kissed me and waved bye-bye as they went out the door.

Mr. Chairman, Mr. Denton, do not ask me to ignore the consequences of that kind of terrorism. So I congratulate you, Senator Denton and Senator Lugar, for scheduling these hearings. Perhaps it will serve some purpose, if nothing else, in terms of persuading the major media of this country to point out who is responsible for the terrorism.

Jeane Kirkpatrick said that America is blamed for just about everything. Well, they cannot blame America for terrorism. The

Soviet Union may not be responsible for all of it, but it is certainly responsible for a large share.

Thank you, Mr. Chairman.

Senator TRIBLE. Mr. Chairman.

Chairman LUGAR. Senator Trible.

Senator TRIBLE. I have just one additional question.

Gentlemen, tomorrow's hearing will focus on international drug activities in nation-states and how the United States more effectively can fashion a response to stem this flood of drugs across our borders.

One phenomenon that we have witnessed recently has been the expanding link between international terrorism and international drug trafficking. We see that, for example, in Peru, where the Shining Path, a Maoist terrorist organization, is now linking arms with the drug traffickers and making the problems of enforcement all the more real.

Would you comment on this new development?

Mr. CLINE. Brian, let me say something first, briefly, because I don't know very much about this and I am sure you know a lot.

Mr. JENKINS. Go ahead.

Mr. CLINE. I have been out of government over 10 years and you have to study the real details to speak authoritatively about these criminal activities.

I would like to say that in many years in government and in my professorial pursuits in the past 10 years, I have observed with horror the growing links in many areas between the three groups: the revolutionary political groups, who are, for the most part, Marxist-Leninist, anxious to create a state subordinate to the Soviet Union or one of its surrogate states, like Cuba; the narcotics traffickers, who need the protection that such revolutionary groups can give them and are willing to pay for it, and, in fact, are willing to finance the political revolutions with the proceeds of drug traffic; and then the gunrunners, the people involved in the illegal passing of guns to revolutionary groups and to narcotics traffickers.

This is a monstrous combination.

I became familiar with it in Southeast Asia because, back in the 1950's and 1960's, we observed that most drugs, most opium, was coming from that triangle which is the southern part of Communist China, Burma, where the Communist Party of Burma controls most of the drug-growing area, and some parts of Laos and Thailand. It is often blamed on the local people, but it is clearly largely a movement of opium which comes in other forms eventually to this country, and it has been the source of a great deal of our illegal drugs for many decades. It moves through this combination of interests of the Communist revolutionaries, the gun salesmen, who supply criminals and revolutionaries with guns, and the narcotics traffickers, who are in it strictly for greed but will trade off benefits.

We now see this in South America. There is plenty of evidence in the open sources that some activities of this kind are linking the American underworld, particularly in Florida and Texas, with Cuba, Nicaragua, some of the Caribbean Islands, and with Colombia, Peru, and Bolivia. This is a scandal and it is a very dangerous thing. The details are hard to come by. We must depend on our intelligence and our law enforcement agencies. It is the ultimate corruption of this terrorist system that has come into being.

Mr. JENKINS. Let me just add a couple of comments.

Basically, terrorists participate in the narcotics traffic for money. It takes money to run a terrorist organization. The money comes from primarily illegal activities—bank robberies, ransom kidnappings, extortion, rackets. For those groups that have state sponsors, it comes from the sponsors. For others it comes from participation in the drug traffic.

This has provided some of the groups with a sizable cash flow. As a group continues to participate in this kind of traffic for a while, maintaining that cash flow becomes in itself the objective of the group, and the political veneer becomes thinner and thinner. So, eventually, some of the terrorist organizations begin to resemble more and more ordinary organized criminal organizations, as opposed to political organizations.

The terrorists essentially provide the traffickers with protection, armed military power, and in the case of South America, escort for smuggled coca paste moving up from Peru and Bolivia into Colombia for the refineries, for the various traffickers.

In return for this, they get dollars. They also use the drug traffickers to exchange their local currency, which they obtain through ransoms and extortions, for dollars, and then the dollars are used to buy weapons. That is primarily the nature of it. It is a pragmatic economic relationship that they have, and a profitable one for both sides.

As a result of this cooperation, though, several things are happening.

Number one, it has provided tremendous financing, continued financing, for the terrorist groups, although it has this capacity to, in a sense, corrupt those groups, if you can talk about corrupting a terrorist group. This is something that terrorists themselves debate about, the degree to which they should participate in the narcotics traffic, lest they become simply another Mafia, as opposed to whatever they started out to be.

Another consequence of it is the creation of a common infrastructure, or the emergence, really, of a common infrastructure, which Mr. Cline has talked about, the kind of merging of gun runners, narcotics traffickers, and terrorists, all living off the same infrastructure of relationships, obligations, debts, money laundries, that sort of thing. That makes terrorism much more difficult to deal with, because we can talk about combating individual terrorist groups and we can talk about arresting individual terrorists, but it is very, very hard to get at that at once more ephemeral, but at the same time more resilient infrastructure that sustains terrorist activity. We are talking no longer here about combating a specific group with an order of battle. We are talking about really combatting a system, a whole system here. That is difficult.

The other effect that it has had is to a certain extent to inspire the drug traffickers, those involved in drug traffic, to behave more like terrorists. So not only do they increase their weaponry, but they begin to openly engage in assassinations, claiming credit for their assassinations, and to resort to car bombings in retaliation for actions directed against them. That is a departure from the tradition of organized crime, which was always willing to use violence, but was cautious in the use of that violence against high level political targets or in doing other things that would provoke backlash.

The other thing I would say about this relationship between terrorists and the narcotics traffic causing a major problem for us here in the United States is that not only have we been subjected to threats and attacks from terrorists, as a result of our efforts to stem the flow of narcotics into this country, but, intriguingly, and, to me, remarkably, the terrorists in some of these countries have not lost a lot of political ground because of their involvement in narcotics traffic. In some cases, nationalism has sort of overridden the moral reprehensibility of involvement in drug traffic, so that you have some of these countries taking quite nationalistic responses, saying, "Well, yes, they may be drug traffickers, but they are our drug traffickers and they are being persecuted by the Yankees." You know, Yankee-bashing is always a popular activity in many corners of the world. The notion that drug traffickers, with terrorist assistance, are able to use this internationalist hype in a sense to carry out actions directed against the United States because of extradition of drug traffickers is quite amazing.

The other place where it begins to have a direct impact on this country as well is the increasing slopping over of the kinds of violence that we have seen in places like Colombia and some of the other countries in South America directly into this country. If you want a remarkable demonstration of this, you only have to look at the kinds of weapons that the police departments in this country are running into when they go after drug traffickers. The police are now compelled to resort to both defensive measures and offensive weaponry which 10 years ago would have been unimaginable in American society, including the use of tanks—which are euphemistically called rams and other things but which are essentially armored vehicles—armored vests, automatic weapons, and heavy calibre weapons, because, in fact, when they run into drug traffickers in this country, they are running into the same kind of weaponry and even better weaponry on the other side.

So, while we may not have an enormous problem with political violence in this country, we are suffering the effects, in a sense, of a kind of pollution from the association of terrorists with drug traffickers in other parts of the world which is affecting our society, whether we are talking about Florida, California, or a dozen other States.

Senator TRIBLE. Thank you.

Thank you, Mr. Chairman.

Senator HELMS. If the Senator would yield, the same thing is true with attempts to interdict drug traffic. The Coast Guard frequently finds that the drug runners are much more sophisticated in their communications.

We ran into this, Paul, during our drug hearings.

Mr. Jenkins is exactly right. The sophistication and the intensity both have been on the rise for the last 10 years.

Chairman LUGAR. Are there other questions by Senators of these witnesses?

Senator Denton. Yes, very briefly.

Chairman LUGAR. Senator Denton.

Senator **Denton**. Mr. Jenkins, your earlier writings on terrorism and one of your previous remarks dealt with the possibility of the introduction of nuclear weapons or high tech weapons by terrorists.

Do you believe the United States will eventually be confronted with nuclear terrorism, perhaps in the form of a threatened environmental release, a takeover of a nuclear powerplant, or even a crude nuclear bomb?

Mr. **Jenkins**. Well, I think that those three items that you mentioned are quite different and appeal to different sets of actors. With regard to a potential takeover of a facility or threatened contamination, those are things that do not require, obviously, the technical sophistication that would be involved in the fabrication of an explosive, an improvised explosive nuclear device. And we could see takeovers or contamination occurring as a result. For example, a takeover could occur potentially in any part of the world, carried out by ideological extremists, hostile employees, or functional psychotics who, in a psychotic moment, decide to seize control of a control room or something like that.

Let me, therefore, concentrate instead on the improvised nuclear device.

I think nuclear targets may be inherently attractive to terrorists in the sense that, as terrorists create events that are deliberately dramatic, simply putting the words "nuclear" and "terrorist" close together in any paragraph on any evening news broadcast will achieve an enormous effect. So I think nuclear targets are inherently attractive.

I am not a physicist and I probably could not tell the difference between a diagram for a nuclear bomb and a diagram for a soda-vending machine. But those people who are familiar with this, whom I have asked if it can be done—that is, is it possible that some group outside of government that somehow acquired the necessary capability to do so could construct at least a crude nuclear device—are generally of the opinion that it probably can be done. By this I mean that it is no longer inconceivable that some group outside of government, assuming it had somehow acquired the necessary nuclear material, could construct a nuclear device. The ease with which it can be done, I think, has tended to be exaggerated. It is something probably well beyond the capacity of any bright lunatic, which is the title of one article that spoke about this. But, nonetheless, it conceivably can be done.

There are groups in the world that conceivably can do it, that is, that theoretically possess the necessary logistics, infrastructure, management skills, access to the scientific community, and potential assistance by elements of a national government to carry out an operation of this complexity and magnitude.

The third point I think we can make is that we have no evidence that any group is moving in this direction. I do not draw any particular comfort from that because I am not sure we will have any evidence of it before it occurs. It would represent a quantum leap, and that really brings us down to the question of motivations, apart from technical constraints.

On the one hand, as I said, a nuclear device would be enormously attractive as an instrument of coercion, as an instrument of destruction. Certainly we have seen in recent years terrorists moving toward higher levels of destruction, where they can now, with the use of conventional explosives, kill hundreds of people. So they tend to be moving in that direction.

At the same time, there are constraints even on those we call terrorists. Terrorists tend to be somewhat reluctant to carry out measures that would alienate their perceived constituents, that would provoke public backlash, that would unleash unprecedented crackdowns that are likely to occur if, in fact, it was believed that they had or that they were developing a nuclear capability. They are reluctant to carry out operations that cause a great deal of debate and dissention within the terrorist ranks, as any operation of that magnitude would. Therefore, this tends to impose a kind of conservatism in their decisionmaking.

At the same time, there are factors which are eroding those constraints, and which do erode them. There is a built-in escalation requirement in terrorism. As terrorism becomes more commonplace in the world, it begins to lose its value, its dramatic quality, its dramatic impact, thus forcing the terrorists to ever-increasing heights of violence. Struggles that are perceived as lost or likely to be lost unless desperate measures are taken may propel terrorists in that direction. Religious fanaticism allows the threshold against mass violence to be lowered considerably if, in the eyes of the perpetrators, God says it is OK to kill infidels, pagans, disbelievers, and what have you. We have seen that there is a tremendous capacity for destruction and for self-destruction in these situations.

State sponsorship also erodes these constraints because it frees the terrorists from worrying about constituencies and political popularity. They have only to serve the interests of their clients.

So, what we have, in effect, is a dynamic here between the constraints on the one hand and the factors that appear to be eroding some of those constraints on the other hand.

Now, where the point of crossover is in the future I do not know. At this point, I must say that the discussion tends to become a bit theological. There are some who say it will never happen; there are others who believe it is only a matter of time before some group inevitably "goes nuclear."

Senator **Denton**. The logical question is like the one in the funny papers yesterday. At Wrigley Field, when the man asked, "what chance do you think the Cubs have of winning the pennant," he said "this is a baseball field and not the place for theological questions." [Laughter.]

My final question, Mr. Chairman, deals with sanctuary movements, as they are called.

Mr. Cline, we are all conscious, though not as much as we should be, of the Iron Curtain, the fleeing people, and the ones who would flee. We are aware, though perhaps not enough, of the Boat People. The fact is that 700,000 Vietnamese, as reported to me, have drowned in trying to get out of there. I just happened to learn, Mr. Chairman, and colleagues, that in Hong Kong, in talking to the refugee representative of our Government there last year, of some 12,000, who have decided to come north, through China and then on to Hong Kong—notably in Communist China, these refugees are not assaulted in any way. Of the 12,000 who got into Hong Kong last year, 45 percent were born and raised in North Vietnam, and a good percentage of them were from the Vietnamese Army. I don't know why we have not seen that in the papers. I consider that news.

I was amazed to learn that. Forty-five percent were from north of the 17th Parallel.

Mr. Cline, I have heard testimony from several sources that the various sanctuary movements relating to Central America's refugees, that those movements especially in the Southwest, including Texas, are a breeding ground for anti-U.S. sentiment. Some allege that they are actually a sanctuary for leftist sympathizers from El Salvador, Guatemala, Mexico, and Honduras. I have evidence that they are bombarded with anti-American literature, speeches and seminars. The information that I have received indicates that at least 75 percent of those seeking sanctuary are from El Salvador. I am also told that persons fleeing from Nicaragua and Cuba are given the cold shoulder unless they are of the correct political orientation.

I would like to know if there is any truth to this from your knowledge.

Mr. Cline. This is a murky and difficult area to get hard evidence, Senator, but I can confirm from the knowledge I have that your understanding is correct. There is a definite revolutionary, Marxist-Leninist cast to many of the people who have sought sanctuary in this country and are granted it. Whether the people who are providing the sanctuary are politically motivated or purely humanitarian, I cannot say whether that is—whether they are what Lenin used to call useful idiots or revolutionaries. There are many people in this country who are easy marks for propaganda to the effect that refugees are suffering in relatively democratic countries, whereas they do not seem to be concerned about the kind of suffering they experience in a Marxist-Leninist regime which is deliberately oppressive and totalitarian.

I think the sanctuary movement is only a part of a broad campaign to flood this country with people who are hostile to our society and system of government. It is in a way part of the apparatus that enabled, and the innocence on our part, that enabled Fidel Castro to send the Mariel boat people to this country with now admittedly many, many criminals and very handicapped people who undoubtedly, in my view, were maliciously sent here to create political and social problems for us.

When you think of the potential that a success by Cuba and Nicaragua in doing what they say they intend to do, creating a revolution without borders in Central America, would create in the way of refugees trying to move northward into Mexico and across the somewhat porous border into the United States, it really frightens you as to the consequences for our efforts to control the movements of what some people have called the "feet" people rather than the "boat" people because they would be walking into the United States.

I think the sanctuary movement is unfortunate, but it is a minor example of the ease with which hostile forces and the potential for a very dangerous terrorist infrastructure can be created, can be infiltrated and then organized within this country without actual violation of our practical application of the law as distinct from the strict interpretation of the law, and with a great deal of sympathy from people who are simply inclined to be kind to unfortunates.

So I think what you observe with the sanctuary movement is correct, it is a tip of an iceberg kind of infiltration/penetration problem that we will be confronting for many years.

Senator **Denton**. And the "sanctuary movement," is a specific sort of church-oriented movement which is separate from our normal, orderly immigration processes by which we try to provide sanctuary to——

Mr. **Cline**. Oh, sure.

Senator **Denton**. I just wanted to make that clear for the record.

Mr. **Cline**. It's an illegal procedure without any question, justified on philosophical or really a religious basis.

Senator **Denton**. Mr. Chairman, I have no further questions for these authoritative and excellent witnesses and I know you want to note the arrival of our distinguished colleague, Senator Pell.

Chairman **Lugar**. I do, indeed. We are delighted to have the distinguished ranking member, Senator Pell, with us.

Senator Pell, do you have an opening comment or question for these witnesses?

Senator **Pell**. Thank you very much, Mr. Chairman. I have no opening statement. I just have one question, and that is has there been any specific new direct evidence, to your knowledge, linking the Soviet Union with examples of terrorism?

Mr. **Cline**. Senator Pell, as I said earlier, I feel a little immodest in recommending my own writings to the committee, but about a year ago I published with a coauthor, Dr. Alexander, who is my colleague at Georgetown University, a book called "Terrorism: The Soviet Connection."

Senator **Denton**. I have a copy here, sir, if you would like it.

Senator **Pell**. I ought to read that.

Mr. **Cline**. And it is based on documents captured in Lebanon and has a great deal of circumstantial evidence about Soviet training and funding, in particular, of the Syrian controlled extremist branch of the Palestinian Liberation Organization.

Now, I think the book makes completely clear on the basis of objective evidence, circumstantial, admittedly, bits and pieces from many places, that there was a system of training and funding terrorist organizations if they were believed to be likely to destabilize Lebanon, strike at American citizens, which many of them did, and oppose the Israeli Government and its forces. My conclusion, which I stated in the preface, was that this persistent pattern of international destabilization and terrorism, assisted by if not always controlled by Moscow, has escaped the attention of many U.S. observers. The news media search endlessly for the smoking gun of Soviet involvement, overlooking the fact that they hide their complicity.

Circumstantial evidence and the logical framework of doctrinal cause and revolutionary effect are what there is to go on in examining this case. That is the basic presentation I make in this book, that circumstantial evidence and doctrinal preparation would hold up in my view in a reasonable court of opinion.

Senator **Pell**. Excuse me. My question was, was there any new, that is, within the last year, direct evidence, not circumstantial, linking the Soviet Union to terrorist activities.

You have not answered my question.

Mr. **Cline**. Well——

Senator **Pell**. I said new, within the last year, and direct.

Mr. **Cline**. Within the past year I can only cite statements from Moscow supporting the liberation movements around the world. There are quotations which I can read in various publications, particularly by Yuri Andropov, when he was head of state, but also by Gorbachev, who is the present head of state, and it has been doctrine in the Soviet Union unchanged for 10 or 15 years that it is a duty of the Soviet Union to support what they call wars of national liberation.

Now, I suggest that the historical evidence is very clear that the groups who are conducting wars of national liberation and are conducting them today and during the past year are the same terrorist organizations that I was describing.

Senator **Pell**. But please, could you give me an example, specific example, as I asked for direct evidence within the last year linking the Soviet Union, a specific case, not a general statement.

Mr. **Cline**. Well, the example I would cite to you is the Soviet support with doctrine, with guns, with money, of the wings of Palestine liberation groups in Lebanon who have fought against the American, French, and Israeli presence there, which have assisted in the preparation of the infrastructure of violence which blew up our Embassies 1 year ago. That effort is still continuing.

The examples are all not of violent acts that we have discovered but of continuation of the liberation effort.

Senator **Pell**. I wonder if in your own mind you have been specific in your response.

I just want an instance. I am sure there are many of them.

Mr. **Cline**. Well, sir, as I say, I think you are being a little bit like the smoking gun media people.

Senator **Pell**. I am.

Mr. **Cline**. You want an example of where someone was killed by a terrorist with a Soviet order in his hand. You will never find that any more than you will find the Soviet responsibility documented for the Bulgarian involvement in the attempt to assassinate the Pope.

When an assassination team is sent out, it does not get written orders, Mr. Pell. It gets a rather conspiratorial briefing, and we will not find that. We did find countless bits of evidence of the training of the people who did commit acts of terrorism and are now in jail in Lebanon, and it was interviewing them, which is recent, about their previous acts that I think is very compelling evidence.

But there is not and I think is unlikely to be the kind of evidence you are asking for.

Senator **Pell**. I recognize that there will not be an instance with a Soviet order in their hand, but I still feel a little uneasy at the lack of specificality that you have cited in your response, but I thank you very much.

I have no further questions.

Chairman **Lugar**. Thank you, Senator Pell.

We are appreciative to the witnesses for your being so forthcoming in your answers, and we will at this point ask you to retire and call upon Mr. Nathan Adams and Mr. Martin Sicker for their testimony.

Mr. CLINE. Thank you very much, Mr. Chairman.

Chairman LUGAR. Mr. Adams, Mr. Sicker, we welcome you to the witness table, and ask that you proceed, first of all, Mr. Adams, and then Mr. Sicker, with your testimony, and the Senators will proceed to raise questions with you.

Mr. Adams.

STATEMENT OF NATHAN M. ADAMS, SENIOR EDITOR, READER'S DIGEST

Mr. ADAMS. Thank you.

Mr. Chairman, I welcome—first of all, I will abbreviate my statement as much as possible.

Chairman LUGAR. Very well.

Mr. ADAMS. I welcome your invitation to testify before these very important hearings. As a senior editor of Reader's Digest, I have been assigned for the past several years to investigate and develop articles which focus on international terrorism, primarily those state-supported movements and organizations operating in the Middle East.

In my opinion, there is no greater threat to world peace today than terrorism and the potentially deadly sequence of events which can be set in motion by a single incident. The lessons of history by now should be abundantly clear. But just as one reminder, allow me to point out that it was the assassination of Archduke Ferdinand by Bosnian-Serb terrorists in Sarajevo on June 28, 1914, which became a trigger for the events leading to World War I. Other assassinations and acts of terror have played key roles in shaping the world's history, including our own.

The issues of disarmament and Central America aside, state-supported international terrorism and how best to neutralize the danger it poses to the world community should be second to no other priority. Yet despite a gradual awakening, our diplomatic, military, and intelligence-gathering capabilities in dealing with the threat remain in disarray, uncoordinated, unwieldy, and tentative. Most commonly, we find ourselves in the position of reacting to an incident. Rarely do we seem to be able to prevent it.

There are scores of terrorist organizations which operate throughout the world. The forces which have shaped them range from purely political, the conquest or recovery of regional territory, to goals of ethnic autonomy and sheer revenge for real or imagined injustices of history. All are different, yet many coordinate to best achieve their respective aims. Each is identical in their disregard of innocence. Given the circumstances, the time, and the place, every one of us, our wives, husbands and children, are potential targets.

There is neither space nor time to examine the motives, personnel, and operations of this myriad network. Undoubtedly, many will be covered by other witnesses in the days ahead, so I will limit my testimony to Iran and the support infrastructure that it provides for terrorist movements and activities throughout the Middle East, Europe, and Asia.

It is a fact, accept it or not, that Iran's present government considers that a state of war exists between it and the United States. If we choose to ignore this reality, we do so at our own peril. Iran's ruling Ayatollahs are simply waging this war with the most effective weapon in a limited arsenal, terrorism. Their goal: to rid first the gulf, then all of Islam, from the envisioned corruption of Western influence as personified by the United States. Only then, under the guidance of the Ayatollahs in Tehran, can Islam purify itself and return to its most fundamental state, clerical rule; government by Shari'a canon law of the Holy Koran.

While this may appear somewhat metaphysical to those of us in the West who are unfamiliar with Iran and the forces which have shaped its dominant religion, the Shia sect of Islam, I can assure you that it is as real as the concussion of a ton of exploding hexogen. To accomplish their goal of Islamic purity, the Ayatollahs have embarked on a no-quarter crusade of martyrdom and terror.

No nation today has dedicated itself more overtly to the propogation of terror as a political weapon than has Khomeini's Iran. At the present time, Tehran hosts and coordinates the activities of more than 25 terrorist and Islamic liberation movements. Indeed, there is hardly a major ministry in the Islamic Republic that does not contribute to their support in one form or another. The machinery has been functioning smoothly for years.

The best example of support and coordination provided by the Republic is best found in the operations of what has become known as Islamic Jihad, not to be confused with an Iraqi group of the same name. It is the spearhead of Tehran's campaign to intimidate the West and, if possible, force a total U.S. withdrawal from the region, a goal which they have nearly accomplished, at least in Lebanon.

To begin with, there is no Islamic Jihad. It is a nom de guerre used to estalish an identity and communality of attacks undertaken by terrorists based in Iran and the Bekaa Valley of Lebanon, usually against American and gulf targets. The structure is fluid and changes with each operation. Personnel vary. For example, the bombings in Kuwait in 1983 were largely the work of the Da'awa terrorist cells directed by the Islamic Republic through its representatives in Damascus, Baalbek and Beirut.

Oftentimes, key operatives are selected from among the trained ranks of Iran's own Revolutionary Guard units based near Baalbek. This is believed to be the case with the first United States Embassy bombing in Beirut, the subsequent attacks upon the United States Marine and French para units. There are within Pasdaran—Revolutionary Guard—forces small groups of individuals who have been indoctrinated and trained as suicide volunteers set up for this purpose in camps in Iran.

Each action, therefore, is undertaken by an ad hoc group assembled for a specific attack, whether it be a bombing, a kidnaping, an assassination, or an air hijacking. There are two principal groups in Lebanon which supply personnel.

The first is known as Hisballah, the Party of God, a pro-Khomeini organization of Shi'ite fundamentalists with headquarters in Baalbek, Beirut, and South Lebanon. The Baalbek group is headed by Sheik Sobhi Tofailli who founded the Baalbek chapter in 1982.

The Beirut branch is controlled by Sheik Mohammed Hossein Fadlallah. The Hisballah elements in south Lebanon are led by Ibrahim Al-Amin. While there have been conflicts, some armed, between the followers of the three leaders over dogma and territory, each cooperates in providing security, intelligence, and personnel for operations claimed by Jihad. Estimates of the numbers of followers vary widely. A conservative figure would be 8,000.

Support for Jihad operations is also provided by elements of Islamic Amal. Islamic Amal is led by Hossein Mousavi. It is radically pro-Khomeini, and split off from the mainstream Shi'ite group, Amal, controlled by the more moderate Nabih Berri.

Hossein Mousavi and his Islamic Amal played a direct support role in the Beirut bombings of the U.S. Embassy and the Multinational Peacekeeping Forces in 1983. Both he and his organization are based in Baalbek, thus interphase most closely with the local Hisballah branch controlled by Sheik Tofailli. This is not to say that Mousavi plays a role in every Jihad operation. For example, during one recent meeting in which a terrorist action was planned in Baalbek, he was not even present.

These diverse elements, in addition to providing Jihad fodder, are also the key groups through which Tehran hopes to control the final outcome in wartorn Lebanon, the establishment of an Islamic state identical to Iran's own. Thus, the mission of Jihad's patrons is multifaceted.

One element remains constant: Islamic Republic sponsorship of Jihad's operations. In Beirut they are controlled by Iran's Chargé d'Affaires at the Embassy of the Islamic Republic, Mahmouds Nourani. Nourani is in charge of coordinating support locally, but he takes his orders from Iran's Ambassador to Syria, Ayatollah Mohtashami. Mohtashami, in turn, is in close contact with the leadership of the Supreme Council in Tehran which approves and often plans terrorist operations undertaken in the name of Islamic Jihad. Mohtashami's superior, Foreign Minister Ali Akbar Valayati, is also a key figure in the chain of command and is consulted on all operations which involve Foreign Ministry support.

Another Foreign Ministry link to the Islamic Republic-supported terrorist operations in Lebanon and elsewhere is Deputy Foreign Minister Sheik Oleslam, who often relays orders by hand from Tehran rather than risk Western interception of telephonic and telex communications. Sheik Oleslam is also Tehran's principal liaison with Libyan terrorist networks which have supplied support for Iranian operations in the past, and the reverse.

For example, shortly before Libyan gunmen and diplomats were expelled from London last year for their role in the machine-gunning of anti-Qadhafi demonstrators—a woman police constable was killed—European operatives for the Islamic Republic offered to blow up the Libyan Embassy in London with a suicide truck bomb, thus destroying any incriminating evidence.

Significantly, Sheik Oleslam recently visited Nicaragua to discuss Islamic Republic support for Daniel Ortega's Sandinistas. This support included the offer of Islamic Republic terrorist facilities, personnel, and training.

While Syria has itself provided intelligence backup for Jihad operations which Damascus sees as helping achieve its own ambitions in Lebanon, President Assad is not always consulted before an operation. In the case of one recent incident supported by elements in the Islamic Republic's Syrian Embassy, an open clash took place between the two governments because Assad had not been informed. Partly to avoid such disagreements, and in return for Syria's solidarity, the Islamic Republic sends an estimated 1 million free tons of oil to Damascus each year.

Islamic Jihad operations also have the close support of Iranian Pasdaran or Revolutionary Guard forces which Syria has permitted to be stationed in the Bekaa Valley. While Assad has since ordered their numbers reduced, there were 5,000 at one time. These Revolutionary Guard units provide both personnel, indoctrination, and training for Hisballah and Islamic Amal terrors, the twin backbones for Jihad operations. A Pasdaran deputy, Hossein Dehghan, serves as coordinator of these services. His dual role is the Islamic Republic's embassies in Beirut and Damascus.

Since 1981, Iran's ayatollahs have also provided training for Hisballah martyr-terrorists in the Islamic Republic itself. Most of this schooling takes place at a terrorist training camp located inside, or just outside Tehran at Manzarieh Park, not far from Khomeini's residence. The camp is directed by Mehdi Hashemi, a relative of the Republic's powerful Ayatollah Montazeri.

Arguably, the connections between Jihad operations and Islamic Republic officials in Tehran, Lebanon, and Syria had been documented to such an extent that it is inconceivable to absolve Iran's responsibility. In the business of terrorism, remember, there is no such thing as happenstance or coincidence.

Quite apart from the nonindigenous movements which it supports, the Islamic Republic maintains its own formidable terrorist apparatus ranging from the often-youthful Basiij Corps—they have been indoctrinated to martyr themselves, and many already have at the Iraq front—to the 300,000 strong Pasdaran, or Revolutionary Guards, who operate many of the training facilities.

It is no accident that the use of terror to obtain political ends has become an institution in Iran. The formulative process began in the early 1960's when the Ayatollah Khomeini was sent into exile, first to Turkey, then to Najaf in Iraq. Thousands of his followers were to be trained in terrorist camps operated by the PLO in Lebanon, Syria, and South Yemen.

Yassar Arafat once boasted that he had trained more than 10,000 Khomeini loyalists. Much of the funding for this training was provided by the Soviet Union who reportedly underwrote the expenses of each trainee. But more of this later. Suffice it to say that many terrorist-trained Khomeini supporters now hold important offices in the Islamic Republic.

Sheik Oleslam, Deputy Foreign Minister, is one. Mostafa Mir Salim, an adviser to the Islamic Republic's President Hojatoleslam Ali Khamenei is another. A former student at Moscow's Patrice Lumumba University, he also attended terrorist training camps in South Yemen. He is connected today to at least one training facility in Iran. Yet, incongruously, he was the Islamic Republic's chief negotiator with the hijackers of the Kuwaiti Airbus in Tehran last December.

Mousavi Khoeniah, another graduate from Patrice Lumumba, and the University of Leipzig in East Germany was also a terrorist camp trainee. For the past several years he has headed the Islamic Republic's Haj pilgrimage to Mecca, and the Saudis have twice expelled him for inciting disturbances, leading pro-Khomeini demonstrations. In the mid-1970's, Khoeniah was a Soviet bagman who helped funnel nearly $400,000 from Kremlin sources each month to finance Khomeini's revolution. He also delivered propaganda tapes from Khomeini to KGB editors in Moscow who, in turn, would relay them on to Baku for broadcast into Iran over a black radio station calling itself the National Voice of Iran.

Khoeniah is today considered one of the most powerful figures in Iran, ranking in importance only to the speaker of the Majlis, Ali Akbar Rafsanjani.

Other terrorist-trained figures in the Iranian Government include Minister for Heavy Industry Bahzad Nabavi, and Oil Minister Mohammed Gharazi. A former Pasdaran commander, he once ordered the slaughter of an entire Kurdish village.

Frequently under the guidance of Pasdaran officials, the Islamic Republic today maintains a network of at least eight identifiable terrorist-training facilities. Many of the students are foreigners recruited abroad whose patrons are movements included under the umbrella organization of the Supreme Council for the Islamic Revolution. The camps are scattered throughout the Republic from Bandar Abbas in southern Iran to Tehran in the north.

For example, Pasdaran suicide pilots are trained on Swiss-supplied PC–7 Pilatus aircraft at a camp near Bushire, which is called "The Base of the Soldier of Imam." North of Tehran is the Manzarieh Park training facility for suicide volunteers where they are indoctrinated and schooled in demolitions and light weapons uses. Other camps, including those solely for women, exist in Meshed and the port of Bandar Abbas. The latter facility is used to teach mining techniques in not only gulf ports, but also key oil terminals in Europe such as Holland's giant Europort complex.

Last month yet another camp was spotted some 40 miles north northwest of Isfahan. It was photographed by satellite, where as many as 90 foreign recruits are being trained in explosives and small arms.

Were this all not menacing enough, events have now shown a significant Iranian terrorist capability in Europe where networks are coordinated by Foreign Ministry officials up to the rank of ambassador. Iranian diplomats have been expelled from England, France, and Spain for their roles in and links to terrorist activities. Meanwhile, there is evidence to suggest that Islamic Republic terrorists and surrogates have become active in Athens, Greece. Indeed, keeping track of potential terrorist activities in the ever-growing numbers of cultural and student religious centers financed by the Islamic Republic is rapidly becoming a security nightmare throughout all of Europe.

But perhaps the most telling example of the institutionalization of terror today in Iran is a political leaflet we acquired last year before the Majlis elections took place. The leaflet, not unlike those distributed by our own politicians at election time, touted the qualities of one candidate as follows:

Trained as a defender of the revolution in Libyan PLO camps.

A fighter for Polisario forces operating in the western Sahara.

Former member of Pasdaran, a participant in revolutionary actions.

The revolutionary assassin of three officials in the Shah's government. The names of the victims were then mentioned prominently.

Like most American politicians, or those anywhere, for that matter, the candidate wore a clear expression of sincerity. He was bearded. He was wearing a baseball cap when photographed. I do not know if his campaign was successful. Perhaps I should check.

I think this will end my comments from the statement, and I would like to defer to the second witness here and you can come back with questions later.

[Mr. Adams' prepared statement follows:]

PREPARED STATEMENT OF NATHAN M. ADAMS

Mr. Chairman, I welcome your invitation to testify before these very important series of hearings. As a Senior Editor of the Reader's Digest, I have been assigned for the past several years to investigate and develop articles which focus upon international terrorism, primarily those state-supported movements and organizations operating in the Middle East.

In my opinion, there is no greater threat to world peace today than terrorism and the potentially deadly sequence of events which can be set in motion by a single incident. The lessons of history should, by now, be abundantly clear. But just as one reminder, allow me to point out that it was the assassination of Archduke Ferdinand by Bosnian-Serb terrorists in Sarajevo on June 28, 1914 which became a trigger for events leading to World War I. Other assassinations and acts of terror have played key roles in shaping the world's history, including our own.

The issues of disarmament and Central America aside, state-supported international terrorism and how best to neutralize the danger it poses to the world community should be second to no other priority for this nation. Yet, despite a gradual awakening, our diplomatic, military, and intelligence-gathering capabilities in dealing with the threat remain in disarray, uncoordinated, unwieldy, and tentative. Most commonly, we find ourselves in the position of reacting to an incident. Rarely do we seem able to prevent it.

I am a journalist. But I am also a citizen of this nation, as well as of the world. I am alarmed by what I have learned, the extent of terrorism, and its capacity to provoke an East-West confrontation which could result in conflict. I am, too, deeply concerned by our painfully obvious inability to counter the threat. All of which is why, after consideration of my profession, I have agreed to testify before this body.

There are scores of terrorist organizations which operate throughout the world today. The forces which have shaped them range from the purely political -- the conquest or recovery of regional territory -- to goals of ethnic autonomy, and sheer revenge for real or imagined injustices of history. All are different, yet many coordinate to best achieve their respective aims. Each is identical in their disregard of innocence. Given the circumstances, the time, and the place every one of us, our wives, husbands, and children are potential targets.

There is neither space nor time to examine the motives, personnel, and operations of the myriad of terrorist organizations which challenge civilized society today. Undoubtedly, many will be covered by other witnesses in the days ahead. I will limit my testimony to Iran, and the support infrastructure that it provides for terrorist movements and activities throughout the Middle East, Europe, and Asia.

It is a fact, accept it or not, that Iran's present government considers that a state of war exists between it and the United States. If we choose to ignore this reality, we do so at our peril. Iran's ruling Ayatollahs are simply waging this war with the most effective weapon in a limited arsenal -- terrorism. Their goal: to rid first the

Gulf, then all of Islam from the envisioned corruption of western influence as personified by the United States. Only then, under the guidance of the Ayatollahs in Teheran, can Islam purify itself and return to its most fundamental state -- clerical rule; government by *Shari'a*, canon law of the Holy Koran.

While this may appear somewhat metaphysical to those of us in the west who are unfamiliar with Iran and the violent forces which have shaped its dominant religion -- the Shia sect of Islam -- I can assure you that it is as real as the concussion of a ton of exploding hexogen. To accomplish their goal of Islamic purity, the Ayatollahs have embarked on a no-quarter crusade of martyrdom and terror.

Not long ago, a high official of the U.S. Department of State with a long, working knowledge of Middle East affairs told me that "Khomeini is the most dangerous threat to world peace since the rise of Adolf Hitler."

Events have shown that he may not have been far off the mark. Indeed, there are similarities. Like Hitler's "crusade", initial victories have been impressive.

On April 18, 1983 a suicide bomber -- he had been recruited from the ranks of Iranian *Pasdaran* (Revolutionary Guard) forces based in Lebanon's Bekaa Valley -- detonated a truck-full of enhanced hexogen explosives against the U.S. Embassy in Beirut. The toll: 57 dead, 120 injured.

Six months later, on October 23, yet another *Shi'ite* kamikaze -- also Iranian-trained and indocrinated -- exploded a truck packed with similar explosives in the ground floor of the U.S. Marine headquarters at Beirut's international airport. Nearly simultaneously, yet another suicide truck bomb destroyed command post *Drakkar* of the

French peacekeeping contingent. The casualties were 296 dead, 84 wounded. Among them were 241 U.S. Marines.

It was the most savage and successful terrorist attack in recent history. After this, the second suicide bombing of its installations in Beirut, the U.S. lost its kidney for further involvement and abandonned Lebanon to its fate. Still traumatized by the Vietnam experience, the Nation preferred to sacrifice its ability to influence events in this critical region rather than risk any further military involvement. Privately, U.S. supporters throughout the Gulf were aghast at yet another display of American incompetence and loss of will.

Amongst fundamentalist movements throughout the Middle East -- and not a few nations -- Khomeini's stock shot up. And so did the belief of many that terrorism is a valid and credible weapon with which to achieve political, racial, and religious goals. The frequency of Iranian-aided and abetted terrorist attacks against the U.S., its assets and interests, increased dramatically.

On December 12, 1983, a suicide bomber partially destroyed the U.S. Embassy in Kuwait. Attacks also took place against the French Embassy and other locations. Five died, 28 were injured. Predictably, the plot was traced first to Baalbek, Lebanon, finally to Teheran. On December 21, French headquarters in Beirut were again bombed with the loss of ten dead, 125 injured. Nor was this to be all.

On December 23, a bomb of plastic explosives disguised within a Marlboro cigarette carton and wired to a video timer was discovered at Istanbul's international airport hidden in a gym bag. While the incident was quickly hushed up by Turkish authorities, the bag had been ticketed first to Rome, then to New York on a Pan Am 747. The timer, set at 11 hours was to have been activated in Rome at an interline baggage area, set to explode somewhere over the Atlantic. Shortly before Christmas, the Pan Am flight was packed. More than 350 would have died. Investigation has revealed that the group suspected of the plot has strong links to Teheran.

By the year's end, 271 Americans had died as a result of terrorist attacks, 40 percent of the total worldwide. Nearly all these lives were taken by Iranian-supported, financed, and trained terrorists. But more lay in stock for 1984: the brutal assassination of Beirut's American University president Malcolm Kerr in January; five kidnappings of U.S. citizens between January and May of whom four are still held. One, including an early kidnapping victim who was later released, is believed to have been taken to Teheran for "interrogation".

Throughout last year, Iranian-supported or linked terrorist attacks continued, not only in the Middle East, but in Europe as well. In April of that year, an Iranian-supported hijacking team using the "Islamic Jihad" nom de guerre was traced from Lebanon to Bombay, India where they planned to hijack either a Pan Am or Kuwait Airlines jet. Spotting Indian surveillance, they fled. Others, however, were more successful on December 4 when they pirated a Kuwait Airlines A-310 Airbus en route to Karachi from Dubai. The Airbus was divereted to Teheran where it remained for five days before being "assaulted" by an Iranian rescue team. Two American hostages were murdered in cold blood, others were subjected to torture.

We are presently completing an investigation of this hijacking which will reveal the full extent the involvement of elements in the Iranian government in the planning and coordination of this incident. They were extensive and reached up to the highest levels of government.

Finally, in the first week of March, this year, the U.S. delivered a clear warning to Teheran via Swiss representatives. If the Iranian-allied groups which still hold American kidnap victims subject them to threatened trials, or harm them in any way, Iran must suffer the "consequences".

Perhaps.

President Reagan and Secretary of State George P. Shultz have repeatedly warned of preemptive and/or retaliatory U.S. action against such terrorist groups in the past. However, when there was no follow-through, Khomeini's credibility -- and that of terrorism, itself -- only increased further. Indeed, a seemingly appropriate catechism is now so commonplace among Khomeini's supporters that it is part of their daily language:

> "America is the Great Satan.
> America is corrupt.
> America is a hollow drum.
> America cant do a damn thing."

Nowhere have these repeated displays of U.S. impotence had more of an impact than upon members of the Gulf Cooperation Council such as Kuwait, Saudi Arabia, Bahrain, and the United Arab Emirates (UAE). These nations remain very much at risk from Iranian surrogate terrorists seeking to destabilize their governments, or overthrow them outright. They have good reason for concern.

In December of 1981, the island nation of Bahrain -- 60 percent of its residents are Shi'ites -- uncovered at the last minute an Iranian funded and equipped attempt to take over its government and declare an Islamic Republic similar to that in Teheran. Again, in February of last year, Bahraini security forces uncovered a large cache of Iranian-supplied weapons awaiting use in yet another effort to overthrow the Island's rulers.

In Saudi Arabia, Iranian funding and support played a key role in the fundamentalist takeover of the Grand Mosque at Mecca in November of 1979, the holiest of Islam's shrines. Because of religious considerations, a French counter-terrorist unit was requested and sent to root out the insurgents. Since then, there has been serious unrest -- much of it inspired by Iran -- in the Nation's eastern provinces where the majority of Saudi Arabia's Shi'ite population is centered.

Qatar also had a narrow escape. In the fall of 1983, supporters of the Ayatollah Khomeini attempted to assassinate by explosives and ground-to-air SAM-7 rockets the entire leadership of Gulf Cooperation Council member states who had gathered in Doha to attend a Council meeting. It was discovered that the plot had been financed by a locally prominent, fundamentalist Mullah. But the real paymaster was suspected to be Iran.

Other Iranian-sponsored violence and attempts at destabilization have taken place as close to the Gulf as Kuwait, as far away in the Islamic world as Egypt, Tunisia, Morocco, Malaysia, Thailand, and the Philippines. Last year, Iran spent at least $90 million to propogandize its call for fundamentalist revolution world-wide.

In France, for example, Iran earmarked a reported $12 million for the indoctrination and recruitment of third nation Moslem students. This, then, for 1984 alone. Similar sums were made available to Khomeini's agents in both England and West Germany. The funds were often drawn from secret bank accounts maintained by the Islamic Republic on the Channel island of Jersey.

In the Gulf, meanwhile, Iran has installed an 800 kilowatt radio transmitter on Qeshm Island which broadcasts propoganda and invective

18 hours each day to audiences on the Arabian Peninsula. In the recent past, programming has included calls to listeners to overthrow their corrupt governments, and deliver their nations from "the talons of Satan."

The "Satan", of course, is the United States. But other western nations like England and France routinely appear on the hate list. So does the Soviet Union. But, in this case, the Ayatollahs take great care to limit their threats to rhetoric, alone. There are an estimated 5,500 Soviet technical advisers and personnel presently in Iran, and Soviet armed might lies just across the border. What's more, the experience of neighboring Afghanistan remains a constant lesson.

Infrastructure for Terror. No other nation today has dedicated itself more overtly to the propogation of terror as a political weapon than has Khomeini's Iran. At the present time, Teheran hosts and coordinates the activities of more than 25 terrorist and Islamic liberation movements. Indeed, there is hardly a major ministry in the Islamic Republic that does not contribute to their support in one form or another. The machinery has been functioning smoothly for years.

No secret was ever made of this support. In September, 1981, for example, Teheran publicly announced that it had established a body which it called the Supreme Council of the Islamic Revolution to plan strategy for surrogate terrorist movements and activities in the Gulf and elsewhere. The Council consists of a series of committees and subcommittees which represent the interests of specific regional groups, and pool resources to mount individual cell operations.

The Council is reportedly chaired by Hojatoleslam Taki Modaresi. But the real power behind the Council and its overall control rests with Ayatollah Hossein Ali Montazeri. Montazeri is eclipsed in power only by Khomeini himself, and is considered by most to be the Imam's successor upon his death. He reports directly to Khomeini who approves the more significant and high-profile actions by Council members and surrogate groups.

Herewith a partial listing of those organizations whose activities are supported and coordinated by the Supreme Council:

The Islamic Revolutionary Organization in the Arabian Peninsula. This movement comprises dissident elements seeking to overthrow the rule of the royal family in Saudi Arabia.

The Islamic Front for the Liberation of Bahrain. This organization, with support and training from Iran -- including on-the-scene assistance provided by the Islamic Republic's Embassy in Manama -- came within an eyelash of successfully toppling Bahrain's government in 1981.

Islamic Da'awa, Islamic Amal, and Mujahidin. These three groups operate under the guidance of the Council's Supreme Assembly of the Islamic Revolution in Iraq. In the past, Da'awa terrorist have coordinated with Shi'ite elements in Baalbek using the nom de guerre of Islamic Jihad. One example of such cooperation was the series of bombings in Kuwait in December of 1983. One leader of Islamic Amal has boasted that he can assemble in one week "500 loyal activists ready to throw themselves into suicide operations".

Takfir wa Hijra (Repudiation & Renunciation), Al-Jihad al-Jadid. These two organizations of Islamic extremists are comitted to the overthrow of the Mubarek government in Cairo. And members of both took part in the assassination of President Anwar Sadat. There are unconfirmed reports that Iranian financing played a role. Whatever, the Islamic Republic has since issued a postal stamp commemorating Sadat's murder. The stamp portrays a snarling Lt. Islambuli, one of the plot leaders, and praises him as "The Revolutionary Executioner of Anwar Sadat."

Party Islam. The opposition party in Malaysia, its spokesmen have issued calls for a total Islamic state patterened along Teheran lines. In October of 1983, Malaysian security forces uncovered a plot by Party Islam-linked terrorists to overthrow the legal government. Also in 1983, a number of Malaysian pilgrims to Mecca were expelled from Saudi Arabia for exhibiting placards bearing the photograph of the Ayatollah Khomeini. It is known that significant numbers of Malay fundamentalists have been trained in terrorist camps in the Islamic Republic.

The Moro National Liberation Front (MNLF). There are more than two million Moslems in the Philippines, and the fundamentalists among them are represented by the MNLF. The organization -- it maintains representatives in Teheran -- has recently formed alliances with the Communist Party's New People's Army in the Philippines. Meanwhile, in a show of solidarity, the Islamic Republic has cut off all oil shipments to Manila. The goal of the MNLF and its armed units, the Bangsa Moro Army, is Islamic autonomy.

While these are only a handful of the many groups and movements sheltering or headquartering in Teheran, their scope and capacity for terror and destabilization should be cause for great alarm in the U.S. as well as the west as a whole.

The best example of support and coordination provided by the Islamic Republic is best found in the operations of what has become known as Islamic Jihad in Lebanon (not to be confused with the Iraqi group of the same name). It is the spearhead of Teheran's campaign to intimidate the west and, if possible, force a total U.S. withdrawal from the region -- a goal which they have nearly accomplished, at least in Lebanon.

To begin with, there is no Islamic Jihad. It is only a nom de guerre used to establish an identity and communality of attacks undertaken by terrorists based in Iran and the Bekaa Valley of Lebanon, usually against American and Gulf targets. The structure is fluid, and changes with each operation. Personnel vary. For example, the bombings in Kuwait in 1983 were laregely the work of Da'awa terrorist cells directed by the Islamic Republic through its representatives in Damascus, Baalbek, and Beirut.

Oftentimes, key operatives are selected from among the trained ranks of Iran's Revolutionary Guard units based near Baalbek. This is believed to be the case with the first U.S. Embassy bombing in Beirut, the subsequent attacks upon the U.S. Marine and French para units. There are, within Pasdaran (Revolutionary Guard) forces small groups of individuals who have been indoctrinated and trained as suicide volunteers in camps set up for this purpose in Iran.

Each action, therefor, is undertaken by an Ad Hoc group assembled for the specific attack -- whether it be a bombing, a kidnapping, an assassination, or an air hijacking. There are two principal groups in Lebanon which supply personnel.

The first is known as Hisballah (The Party of God), a pro-Khomeini organization of Shi'ite fundamentalists with headquarters in Baalbek, Beirut, and South Lebanon. The Baalbek group is headed by Shiek Sobhi Tofailli who founded the Baalbek "chapter" in 1982. The Beirut branch is controlled by Sheik Mohammed Hossein Fadlallah. The Hisballah elements in South Lebanon are led by Ibrahim Al-Amin. While there have been conflicts -- some armed -- between followers of the three leaders over dogma and territory, each cooperates in providing security, intelligence, and personnel for operations claimed by Jihad. Estimates of the numbers of followers vary widely. A conservative figure would be 8,000. A third of Lebanon's population is Shi'ite, the largest single minority.

It has been claimed that Sheik Fadlallah personally provided a certificate for "entry into Paradise" to the suicide drivers who attacked the U.S. Marine headquarters and the French command post Drakkar.

Support for Jihad operations is also provided by elements of Islamic Amal (again, not to be confused with the Iraqi group of the same name.) Islamic Amal is led by Hossein Mousavi. It is radically pro-Khomeini, and split off from the mainstream Shi'ite group, Amal, controlled by the more moderate Nabih Berri.

Hossein Mousavi and his Islamic Amal played a direct support role in the Beirut bombings of the U.S. Embassy and the Multi-National Peacekeeping Forces in 1983. Both he and his organization are based in Baalbek, thus interphase most closely with the local Hisballah branch controlled by Sheik Tofailli. This is not to say that Mousavi plays a role in every Jihad action. For example, during one recent meeting in which a terrorist action was planned in Baalbek, he was not even present.

These diverse elements, in addition to providing Jihad fodder, are also the key groups through which Teheran hopes to control the final outcome in war-torn Lebanon -- the establishment of an Islamic state identical to Iran's own. Thus, the mission of Jihad's patrons is multi-faceted.

One element remains constant: Islamic Republic sponsorship of Jihad operations. In Beirut, they are coordinated by Iran's Charge d'affaires at the Embassy of the Islamic Republic, Mahmoud Nourani. Nourani is in charge of coordinating support locally. But he takes his orders from Iran's Ambassador to Syria, Ayatollah Mohtashami. Mohtashami, in turn, is in close contact with the leadership of the Supreme Council in Teheran which approves and often plans terrorist operations undertaken in the name of *Islamic Jihad*. Mohtashami's superior, Foreign Minister Ali Akbar Valayati, is also a key figure in the chain of command and is consulted on operations which involve Foreign Ministry support.

Another Foreign Ministry link to Islamic Republic-supported terrorist operations in Lebanon and elsewhere is Deputy Foreign Minister Sheik Oleslam who often relays orders by hand from Teheran rather than risk western interception of telephonic and telex communications. Sheik Oleslam is also Teheran's principal liaison with Libyan terrorist networks which have supplied support for Iranian operations in the past. And the reverse.

(For example, shortly before Libyan gunmen and diplomats were expelled from London last year for their role in the machine-gunning of anti-Kadaffi demonstrators -- a woman police constable was killed -- European operatives for the Islamic Republic offered to blow up the Libyan Embassy with a suicide truck bomb, thus destroying any incriminating evidence.)

Significantly, Sheik Oleslam recently visited Nicaragua to discuss Islamic Republic support for Daniel Ortega's Sandanistas. This support included the offer of Islamic Republic terrorist facilities, personnel, and training.

While Syria has itself provided intelligence back-up for *Jihad* operations which Damascus sees as helping it achieve its own ambitions in Lebanon, President Assad is not always consulted before an operation. In the case of one recent incident supported by elements in the Islamic Republic's Syrian Embassy, an open clash took place between the two governments because President Assad had not been informed. Partly to avoid such disagreements -- and in return for Syria's solidarity -- the Islamic Republic sends an estimated million free tons of oil to Damascus each year.

Islamic Jihad operations also have the close support of Iranian Pasdaran forces which Syria has permitted to be stationed in the Bekaa Valley. While Assad has since ordered their numbers reduced, there were 5,000 of them at one time. These Revolutionary Guard units provide both personnel, indoctrination, and training for Hisballah and Islamic Amal terrorists, the twin backbones for Jihad operations. A Pasdaran deputy, Hossein Dehghan, serves as coordinator of these services. His dual control is the Islamic Republic's embassies in Beirut and Damascus.

Since 1981, Iran's Ayatollahs have also provided training for Hisballah martyr-terrorists in the Islamic Republic, itself. Most of this schooling takes place at a terrorist training camp located outside Teheran at Manzarieh Park, not far from Khomeini's residence. The camp is directed by Mehdi Hashemi -- a relative of the Republic's powerful Ayatollah Montazeri.

Arguably, the connections between Jihad operations and Islamic Republic officials in Teheran, Lebanon, and Syria have been documented to such an extent that it is inconceivable to absolve Iran's responsibility. In the business of terrorism, there is no such thing as happenstance or coincidence. Operations are too carefully planned.

Take, for example, the twin bombings in December, 1983 of France's crack, high-speed train, the "Tres Grand Vitesse", and the Marseille rail station. The explosions killed five, injured scores. They were claimed by a group which identified itself as the "Armed Arab Struggle" as retaliation for the bombing by French aircraft of Shi'ite terrorist facilities in the Bekaa Valley.

Within a week of the attack a letter, postmarked East Berlin, was sent to French officials by the notorious "Carlos". The letter included a fingerprint for positive identification and claimed that it was he, "Carlos", who masterminded the attack on behalf of the Armed Arab Struggle. The French took him at his word.

Now "Carlos" is presently suspected of being a Libyan asset, willing to work for anybody if the price and cause is right. Significantly, however, a key Iranian terrorist coordinator -- travelling on a Syrian passport -- had arrived in East Berlin only two days before "Carlos'" letter was postmarked. His name was Mousavi Khoeniah and his name will arise again later in my testimony.

Was Khoeniah's presence in East Berlin a mere coincidence? Or could one simply substitute Islamic Jihad for "Armed Arab Struggle?" Clearly, it had been their personnel who suffered most from the French bombing.

Institutionalized Terrorism. Quite apart from the non-indigenous movements which it supports, the Islamic Republic maintains its own formidable terrorist apparatus ranging from the often-youthful Basiij Corps -- they have been indoctrinated to martyr themselves, and many of them already have at the Iraq front -- to the 300,000-strong Pasdaran, or Revolutionary Guards, who operate many of the terrorist training camps.

It is no accident that the use of terror to obtain political ends has become an institution in Iran. The formulative process began in the early 1960's when, in 1963, the Ayatollah Khomeini was sent into exile, first to Turkey, then to Najaf, Iraq in 1965. Thousands of his followers were to be trained in terrorist camps operated by the PLO in Lebanon, Syria, and South Yemen.

Yassar Arafat once boasted that more than 10,000 Khomeini loyalists had been trained in these camps. Much of the funding for this training was provided by the Soviet Union who reportedly underwrote the expenses of each trainee. But more of this later. Suffice it to say that many terrorist-trained Khomeini supporters now hold important offices in the Islamic Republic.

Sheik Oleslam, Deputy Foreign Minister, is one. Mostafa Mir Salim, an advisor to the Islamic Republic's President Hojatoleslam Ali Khamenei, is another. A former student at Moscow's Patrice Lumumba University, he also attended terrorist training camps in South Yemen. He is connected today to at least one terrorist training facility in Iran. Yet, incongruously, he was the Islamic Republic's chief negotiator with the hijackers of the Kuwaiti Airbus in Teheran last December.

Mousavi Khoeniah, another graduate from Patrice Lumumba -- and the University of Leipsig in East Germany -- also was a terrorist camp trainee. For the past several years he has headed the Islamic Republic's _Haj_ pilgrimage to Mecca. And the Saudi's have twice expelled him for inciting disturbances, leading pro-Khomeini demostrations. In the mid-1970's, Khoeniah was a Soviet bagman who helped funnel nearly $400 thousand from Kremlin sources each month to finance Khomeini's revolution. He also delivered propoganda tapes from Khomeini to KGB editors in Moscow who, in turn, would relay them on to Baku for broadcast into Iran over a black radio station called the National Voice of Iran. Khoeniah is today considered one of the most powerful figures in Iran ranking in importance to Speaker of the Majlis (Parliament) Ali Akbar Rafsanjani.

Other terrorist-trained figures in the Iranian government include Minister for Heavy Industry, Bahzad Nabavi, and Oil Minister Mohammed Gharazi. A former Pasdaran commander, he once ordered the slaughter of an entire Kurdish village.

Frequently under the guidance of Pasdaran officials, the Islamic Republic today maintains a network of at least 8 identifiable terrorist training facilities. Many of the students are foreigners recruited abroad whose patrons are movements included under the umbrella organization of the Supreme Council for the Islamic Revolution. The camps are scattered throughout the Islamic Republic from Bandar Abbas in southern Iran, to Teheran in the north. Each has a specific mission.

For example, Pasdaran suicide pilots are trained on Swiss-supplied PC-7 Pilatus aircraft at a camp near Bushire which is called "The Base of the Soldiers of Imam." North of Teheran is the Manzarieh Park training facility for suicide volunteers where they are indoctrinated and schooled in demolitions and light weapons use. Other camps -- including those solely for women -- exist in Meshed, and the port of Bandar Abbas. The latter facility is used to teach mining techniques in, not only Gulf ports, but also key oil terminals in Europe such as Holland's giant Europort complex.

Last March, yet another camp was spotted some 40 miles from Isfahan where as many as 90 foreign recruits can be trained in explosives and small arms at a time.

Were this all not menacing enough, events have now shown a significant Iranian terrorist capability in Europe where networks are coordinated by Foreign Ministry officials up to the rank of Ambassador. Iranian diplomats have been expelled from England, France, and Spain for their roles in, and links to, terrorist activities. Meanwhile, there is evidence to suggest that Islamic Republic terrorists and surrogates have become active in Athens, Greece. Indeed, keeping track of potential terrorist activity in the ever-growing numbers of cultural and student religious centers financed by the Islamic Republic is rapidly becoming a security nightmare throughout all of Europe.

But perhaps the most telling example of the institutionalizing of terror in Iran today is a political leaflet we acquired last year before the Majlis elections took place. The leaflet, not unlike those distributed by our own politicians at election time, touted the qualifications of one candidate as follows:

* Trained as a defender of the revolution in Libyan PLO camps.
* A fighter for Polosario forces operating in the western Sahara.
* Former member of Pasdaran, a participant in revolutionary actions.
* The revolutionary assassin of three officials in the Shah's government.(The names of the victims were then mentioned prominently.)

Like most American politicians -- or those anywhere for that matter, the candidate wore a clear expression of sincerety. He was bearded. And he was wearing a baseball cap when photographed. I do not know if his campaign was successful. Perhaps I should check.

A Grim Future. What does the Islamic Republic's wholesale export of terrorism and revolution hold in store for the United States and its western allies?

Unfortunately, it appears that no one in the previous administration considered this question when the danger signals were first hoisted during the Shah's crumbling rule. If the present adminsitration has addressed this question, they have not shared the answers. Perhaps they would only echo the reply given me by a senior American diplomat in our embassy in Saudi Arabia last year.

Spreading his arms in helplessness, he said: "Just what the hell does anybody expect us to do about it?"

It was not an answer which inspired confidence in this Nation's ability to influence events, or even control its own destiny, in this, perhaps the most strategic region of the entire world. Like the flu, incompetence, uncertainty, and the total absence of a firm policy is catching. Can a weak Kuwait count on American assistance or intervention if they are threatened by Iranian-sponsored internal disorders, and terrorism? They think not. Can Bahrain? Can Saudi Arabia? How about Qatar?

With Congress' reluctance to commit U.S. forces or meaningful assistance in case a key ally is threatened from within, the future for the United States in the Persian/Arabian Gulf is bleak indeed. Only an outright attack upon a Gulf nation is likely to bring about a response. And the Ayatollahs will never make such a mistake. But let us take the scenario one step further.

Assume, if you will, that an American hostage -- say William Buckley -- is placed on trial and executed by those who now hold him. We have warned Iran of the consequences of this act. But, apparently, there has been little consideration of an often over-looked treaty between the Soviet Union and Iran. Signed in 1921, the treaty legalizes Soviet intervention if Iran is attacked by a foreign power.

I do not mean to suggest that the Kremlin would embark on a military confrontation with us. But the treaty is still in force. How would the Soviet Union react? What about our allies within NATO? High officials in Europe have explained to me that the United States could expect no support from them in the event of a retaliatory attack upon

Iran. Quite the contrary, I was informed that they would condemn such an action. Hisballah and Islamic Amal bases in the Bekaa Valley might be expendable, they suggested. But Iranian targets like the port facilities at Bandar Khomeini, Bushire, or the oil terminals at Kharg Island and the Sirri Islands, never.

The Emperor has appeared naked once too often. And it's every man for himself. Clearly, planners of U.S. policy in the Gulf never anticipated this development once events which toppled the Shah began to unfold. It was a disastrous mistake which generations of Americans may have to suffer from -- to say nothing of the world community as a whole.

But here is another scenario which deals with the future of Iran, itself:

Forged and maintained in a climate of violence, martyrdom, and terror, the Islamic Republic is apt to exit the same way upon the death of the Ayatollah Khomeini, now 84. Resistance to the harsh rule of the Ayatollahs is already growing. Even the Mullahs have begun to question the leadership in Teheran. Meanwhile, the military -- never trusted by Khomeini -- is resentful of clerical control and mismanagement of the war against Iraq which has already cost Iran an estimated 150,000 dead.

Within the Islamic Republic, armed resistance is surfacing. Fighting, for example, continues in the Kurdish region on the border with Turkey. Not even 100,000 well-armed Pasdaran have managed to suppress the Kurdish drive for ethnic autonomy. One reason may be that there are over three million Kurds in Iran today.

The regions of Baluchistan to the east, Azerbaidjanistan to the north, also harbor dreams of ethnic autonomy. And Azerbaidjanis represent more than a quarter of Iran's population. In the wake of internal disorders -- perhaps even civil war -- which may follow Khomeini's death, they will surely seek autonomy from Persian Iran, joining the Kurds in breaking with Teheran. There are those who stand ready to assist them.

If the Soviet Union could co-opt these ethnic forces and regions, the impact on those nations across the Gulf, Turkey, and Pakistan would be catastrophic -- to say nothing of Iran's oil customers like Japan and Europe. In the case of an autonomous and allied Baluchistan, Moscow would enjoy de facto control over the gate to the Persian/Arabian Gulf, the strategic Straits of Hormuz. An ethnically Balkanized Iran would extend Soviet influence to the rear doorstep of Turkey. Pressures which could be brought to bear would be irresistible.

Imagine the possibilities for the Kremlin: a slab of allied territory extending from the Sino-Pakistan border, encompassing Afghanistan, across nearly the northern third of Iran to its frontier with Turkey, then south from the Afghan border to the Gulf of Oman.

I am not waving the banner of the "Red Menace". I am simply describing an opportunity which Moscow would be a fool to overlook. The Soviet Union shares a 2400 kilometer border with Iran. Thus, the region is legitimately within their security concerns, as Mexico is within ours. One thing is for sure: having assisted in the collapse of one pro-western government in Teheran, Moscow will not stand by idly while another is installed. In the same position, given the same priorities, I would do the same. And so, I suspect, would you.

Somebody in this body and in the present administration better consider this possibility. Moscow already has. Over the past decade, the Soviet Union has managed to penetrate these ethnic forces to a significant degree. Indeed, throughout most of World War II and until

1946, Moscow controlled a good chunk of Iran. They called it the Azerbaidjan Democratic Republic. And the Soviet Union has not attempted to hide a desire to return. Speeches given by Soviet officials in Baku, not far from the Iranian border in the Azerbaidjan SSR have continually mentioned this intention.

It is a fact that there are documented links between the Islamic Republic's Azeri ethnic community and Politburo member Gaydar Ali Reza Aliev. For the record, Aliev was head of the KGB in the Azerbaidjan SSR for 17 years. Aliev has also been directly tied to an attempt by a former SAVAK official to overthrow the Shah in 1962. He also enjoys significant standing within the Kurdish independence movement. Increasing numbers of Kurds now identify with Moscow -- the best opportunity, as they see it, to achieve autonomy.

These ethnic movements which seek to split off from the Islamic Republic are not the only elements which have been penetrated. Since the very first days of its clandestine support for Khomeini, Moscow has quietly constructed its own infrastructure within the Islamic Republic's religious community. This, then, in consideration of the day when Iran's clerical regime will fall. Moscow's assets are now believed to include key officials in the Teheran government.

Informed Iranians in exile, as well as many still residing in the Islamic Republic, insist that Mousavi Khoeniah is one such "agent of influence". Another is said to be Deputy Foreign Minister Sheik Oleslam. A third is believed to be Mostafa Mir Salim, an importent presidential advisor. And there are many others. Collectively, they have acquired the name "The Red Mullahs". They will be in a position to help swing a post-Khomeini regime towards Moscow's line.

At present, the Soviet Union is content to sit back quietly as

Khomeini's Pasdaran and SAVAMA (the successor to the Shah's SAVAK) winkle out and eliminate the last cells of Iran's overt communist movement, the Tudeh Party. But its most important "agents of influence" remain undetected, literally under Khomeini's nose.

As dissent increases within the Islamic Republic, is there nothing that the United States can do to influence the outcome, and put an end to the wholesale export of terror and revolution? Is there no alternative to the present regime in Teheran except one which would support Moscow and vice-versa?

In a display of ignorance which can only be called appalling at best, over 50 of your colleagues sent messages of support last June to Massoud Rahjavi, leader of the Paris-based Mujaheddin al Kalq. This was in commemoration of the anniversary of his ill-fated attempt to overthrow the Ayatollahs in 1981. Presumably, there must have been some confusuion between the Afghan Mujaheddin and Rahjavi's organization which is totally committed to Marxist dogma.

The Mujaheddin al Kalq began its existance as a terrorist organization which sought to overthrow the Shah. To this end, it allied itself with forces loyal to the Ayatollah Khomeini, then in exile in Najaf, Iraq. Mujaheddin publications have openly boasted of the assassinations of five U.S. servicemen in Iran during its campaign of destabilization. Rahjavi, himself, is believed to have ordered the murders.

Upon Khomeini's triumphant return to Teheran, Rahjavi volunteered his cadres to assist in organizing the Islamic regime's security services, and Pasdaran units. In 1980, when Khomeini was weighing the release of American hostages siezed during the Embassy take-over by followers of the so-called "Imam Line" -- incidentally, they were led by

Mousavi Khoeniah -- Rahjavi pleaded with Khomeini to welsh on the deal. There was much more to gain by holding the hostages than releasing them, he insisted. He pointed out, in any event, that the U.S. had already exhibited its inability to rescue the hostages in the disaster at Desert One. Happily, Rahjavi was overruled.

In June of 1981, he finally wore out his welcome by demanding that the Mujaheddin were entitled to share power with the Ayatollahs because of their services and sacrifices for the revolution. When this demand was denied, Rahjavi decided on a test of strength and ordered his loyalists into the streets of Teheran. He lost. Massoud Rahjavi and the irrelevant Bani Sadr then fled together to France. Since then, he has been building an image of legitimacy as a viable goverment-in-exile.

Meanwhile, moderate exile leaders like former Prime Minsters Ali Amini and Shahpour Bahktiar have been all but ignored. They, too, have built significant organizations in both France and the United States. It is true that both men have endorsed in principal the return of the Shah's son, and a limited restoration of the Peacock Throne on a strict, constitutional basis. The allied Amini and Bahktiar forces have advocated stringent neutrality for Iran with favoritism for neither east nor west -- vital if the Soviet Union is not to feel compelled to intervene.

The Amini-Bahktiar coalition is known to have support inside the Islamic Republic, mainly within the disaffected middle class and the military. They also have an insurgent capacity though it is not as active in Iran as that of the Mujaheddin. It occurs that this body might well take under advisement support of these moderate elements so that they may more effectively pursue their campaign against the extremism of the Ayatollahs, the equally hostile alternative of the Mujaheddin.

The point is, can we afford not to? Or, like our committed diplomat in Saudi Arabia across the Gulf, do we just spread our arms and ask: "What the hell does anybody expect us to do about it?"

So much for the grim future. What then about the present and the immediate threat of terrorism?

As a journalist, it is not up to me to recommend or endorse any specific legislation. And I do not intend to. Meanwhile, I realize that these hearings are of an exploratory nature. Thus, I do not feel constrained from sharing observations with you. I am convinced that there are two areas which should be carefully considered by this body. The first is our ability, or assets, to counter terrorist threats against our vital interests. The second is restraints which prevent us from countering the threat.

1. Counter-terrorism has become bureaucratically fashionable. Indeed, federal agencies boast a dizzying array of intelligence units, SWAT capabilities, and inter-agency coordinators. In reality, however, the tradecraft of counter-terrorism has become a career and empire builder for bureaucrats. Now this may be the American way of government, but the habit puts us all at risk.

Count the players in the game. The State Department has its own department of counter-terrorism. So does the FBI. Ditto the DIA. The Pentagon, the Army that is, owns rights to the Delta Force. Not to be outdone, the Navy claims the SEALS. The Airforce is involved. The CIA is also charged with the mission of detecting and neutralizing terrorist threats. It, too, has its own "hard men". The DEA has diverted some assets from its primary mission to assist in developing intelligence. And so has the NSA. And the NSC.

Everyone wants a piece of the action. The confusion, the duplication of effort, the unwieldy -- and often conflicting chains of command -- structure simply dilutes our efforts. It seems to me that this nation should pool its anti-terrorist talents under one roof, answerable only to the highest levels of government. Its director should be a member of the Cabinet. The Delta Force would be directly controlled by this body, not by a succession of Pentagon brass hats. The result would be a totally integrated effort without outside duplication.

The body should be able to call upon Pentagon assets wherever and whenever needed. It should develop its own intelligence capability with imput from those agencies which have relevant access to material which concerns its mission.

Within government, scattered throughout involved agencies, there are individuals with extraordinary insights into the world of terrorism, and demonstrated abilities in penetrating to its core. Apart, these men and women are less than effective. Together, they would be formidable, indeed. Because the threat of terrorism is today greatest abroad, the body's mandate should be international, not domestic. But it would, of course, coordinate with the FBI. The unit could either be a separate body, or it could function under the auspices of the CIA.

2. Prevention is the best cure for terrorism. This depends directly on intelligence capabilities. But developing this capability is nearly impossible under present constraints which, in some cases, strictly forbids the suborning of assets, the funding of counter-terrorist surrogates of a second or third nation.

Fighting terrorism is a dirty game. But, if you lose the game, the consequences can be worse. I am not advocating the Israeli approach, but when was the last time one of their embassies was bombed, or an El Al jet hijacked? If one accepts that terrorism is a form of war -- at least as practiced by the Islamic Republic -- one must meet the challenge, or accept defeat and increasing losses.

I am troubled by a moral dilemma. Does one maintain retraints legally on our counter-terrorist effort, and await the inevitable? If so, we place ourselves in the position of retaliating for an attack with, in some cases, a certain loss of innocent lives -- perhaps scores of them. Or do we assume the preventive role? As for myself, I would prefer to prevent rather than retaliate.

But it means we must play a dirty game.

Thank you for your time. I hope it has not been wasted for it is far more valuable than mine.

# # #

Chairman **Lugar**. Thank you, Mr. Adams.
Mr. Sicker.

STATEMENT OF MARTIN SICKER, DIRECTOR, CENTER FOR INTERNATIONAL SECURITY, WASHINGTON, DC

Mr. **Sicker**. Thank you, Mr. Chairman.

I might just make a rather brief statement.

The phenomenon of state-sponsored terrorism presents a challenge to Western democracies with which these states are particularly ill-equipped to cope, and in fact, have proved incapable of coping with. One need but recall the painful memory, as has been done several times this morning, of the 241 American servicemen killed in Lebanon by a state-sponsored terrorist attack, without any response by the United States other than unfulfilled promises to punish those responsible.

While it was quite clear at whose insistance the attack was perpetrated and which states benefitted most immediately from it, senior United States officials could only state, in effect, that there was no concrete evidence of the kind that would stand up in a United States court linking the suicide attack to Syria and Iran. Indeed, there was nothing to be done other than to declare that the mission of the United States forces in Lebanon had been achieved, and withdraw, precisely what the terrorist attack was intended to accomplish.

Because of our commitment to the rule of law, we are at a loss in dealing with states which operate as outlaws and which claim and receive treatment as responsible members of the international community. Perhaps the most egregious example of such a state is the Libya of Muammar Qadhafi. In April of this year a Libyan dissident was murdered by a known Libyan assassin in the central shopping area of Bonn, West Germany, seriously wounding two bystanders with stray bullets. In response to public outrage, the West German Government temporarily recalled its ambassador from Tripoli. A foreign ministry official is reported to have explained that this virtually meaningless gesture was all that could be done because, "there is no realistic way to punish the Libyans without escalating the crisis."

What he was really saying was that there were some 1,500 West Germans working in Libya that Qadhafi could hold as hostages.

He then went on to state, "Our country must not be used as the setting for acts of violence between rival foreign groups. It is particularly reprehensible when innocent passers by are caught up in these battles and injured."

One could reasonably take this statement as suggesting that Qadhafi's murder of Libyan exiles on German soil is naughty but acceptable if the Libyan ruler would have his hit men avoid hurting others in the process. This incident followed within days the assassination by the same gunman of a Libyan dissident in Cyprus on April 2.

I have just returned from Europe where well-informed sources indicate that Qadhafi is about to unleash a virtual reign of terror against Libyan exiles in an effort to stifle the growing opposition to his dictatorship for another decade. If the past is indeed prologue, Qadhafi need not have much concern over the reactions of the democracies. After all, it is well known that such contemptuous violation of international law and responsible state behavior is the avowed state policy of Qadhafi.

On March 2, 1981, Qadhafi declared:

> It is the duty of the Libyan people constantly to liquidate their opponents. The physical and final liquidation of the opponents must continue at home and abroad everywhere.

It should be noted that Qadhafi's terror is by no means directed exclusively at Libyans. Simultaneous with the initiation of this latest campaign of assassination, Qadhafi recently set up a new international terror organization, the National Command for the Arab Revolutionary Forces, aimed at bringing down moderate governments in the Middle East. It is to include terrorists from Syria, Iraq, Lebanon and the PLO organized in suicide squads. As stated by Qadhafi:

> Our mission in this command is to turn the individual suicidal operations into an organized, civilized act. There is no escape and no way out but confrontation.
>
> The National Command is being organized:
>
> To resist imperialism, specifically American imperialism, and to work to liquidate its military and to foil its designs.

Many hours could be spent examining the range and scope of Libyan sponsored terrorist activity from Central America to the Philippines and its implications, all of which I believe will lead to the same ultimate conclusion. State supported terrorism can only be defeated at the source. There is no other realistic option open to a free and open society if it is not to transform itself into a garrison state in order to protect itself.

In the case of Libya, the United States in my view should render all possible assistance to those responsible Libyans within the country and in exile who are committed, notwithstanding the clear jeopardy to their own lives, to ridding their country of the tyrant so aptly described by Claire Sterling as the "Daddy Warbucks" of international terrorism.

Thank you.

Chairman LUGAR. Thank you very much, Mr. Sicker.

The Chair would like to mention that our first witness, Mr. Adams, is the Washington editor of the Reader's Digest, and Mr. Martin Sicker is Director of the Center for International Security.

Senator Denton, would you like to proceed with the questioning of the witnesses?

Senator DENTON. Gentlemen, do either of you have any information to add to the previous questions and answers?

Mr. SICKER. Yes, sir.

Mr. ADAMS. I do have one.

Senator Pell, you mentioned to Mr. Cline that in the last year has there been any firm evidence of Soviet involvement. I cannot cite you one in the last year, but I can cite you one in September of 1983 when a meeting was held in Varna, Bulgaria and attended by terrorist factions based in Baalbek, in the Lebanon, also in Beirut, and it was coordinated by the Bulgarian Secret Service authorities, East German Secret Service people were there, including advisers that they presently have stationed in Libya. If this is considered firm Soviet involvement, I do not know, but it certainly was in Bulgaria, which is a Soviet vassal.

Senator PELL. Thank you.

Mr. SICKER. No, I have nothing to add, sir.

Senator DENTON. You referred, Mr. Adams, in your prepared remarks to the critical situation existing in the Mideast which is of vital interest to us because of the access to oil. You make the point repeatedly that psychologically we are not making progress in instilling confidence in the minds of the leaders over there who might be our friends and allies that we are credible friends. In Iran, and they refer to the United States as "Satan," and you say that other Western nations like England and France routinely appear on Iran's hate list, and you say so does the Soviet Union. But you note, in the latter case, the Ayatollahs take great care to limit their threats to rhetoric alone in the case of the Soviet Union.

Then you state that there are an estimated 5,500 Soviet technical advisors and personnel presently in Iran, and Soviet armed might lies just across the border, and I suppose it is common knowledge that the Soviets have given some of the more advanced surface-to-air missile technology and training to the Iranians and the Syrians.

Mr. ADAMS. So has Great Britain, unfortunately.

Senator DENTON. Yes; technological transfer.

What is more, the experience of neighboring Afghanistan remains a constant lesson. And you end your statement on a note somewhat like mine, asking do we just remain standing by watching all this happen? It is not only in the Mideast; the same thing is happening in Central America and South America. Should we assume a credible preventive role?

And you say you would prefer to prevent rather than retaliate, but it means we must play a dirty game.

And how would you suggest that we get into the dirty game, and would you not agree that it would have to begin with a much better national understanding of what is going on out there, because we do not have that now, and certainly a better congressional understanding.

Mr. ADAMS. Yes, I do, Senator. I will try and make it very brief, but understanding is the key to this. If you do not recognize what is going on and who the players are in the game, there is no way that you can separate them. For example, there are various Iranian exile movements that are present here in the United States and also in Paris. Now, I was shocked last year, last June, when 50, more than 50 of your colleagues wrote letters of support to Massoud Rajavi, who is the director of a group called the Mujahedin Al Haq.

Now, the Mujahedin Al Haq were terrorists during the Shah's time and coordinated their attacks with Khomeini loyalists. Massoud Rajavi is believed to be the individual responsible, who issued the orders for the assassination of I believe five U.S. servicemen. He advised Khomeini not to release our hostages. Finally, he tried to challenge the Ayatollahs for power because he said with the sacrifices that we have made on behalf of your revolution, we should be included in the government. And the Ayatollahs turned him down, and he moved his forces into the street, and he lost the battle. And both he and Bani Sadr fled to Paris.

Now, I just assume that perhaps the Senators felt that—or Congressmen felt that they were supporting the Afghan Mujahedin. But the Mujahedin Al Haq are openly Marxist. Their publications, all you have to do is read them and you can see that it is very clear indeed.

We are talking about preventive medicine, and I think that one of the things we should do is perhaps support some of the more moderate elements outside of Iran because this is not just an issue of terrorism. It involves the future of Iran on the gulf, which is of vital concern to both us and the Soviet Union, and the Soviet Union has a righteous security interest in what goes on in Iran. They share a 2,400 kilometer border. They also have a treaty with Iran dating to 1921 in which they reserve the right to intervene any time Iran is attacked by a foreign power. I wonder if anybody considered this when the Shah started to fall.

There are also certain ethnic autonomous groups in Iran, the Azerbaijanis, the Baluchis and the Kurds, who have always sought ethnic autonomy, and when Khomeini dies, as he surely will, as we all will, there is going to be a massive convulsion inside Iran, and these movements which have already been penetrated and coopted to some degree by the Soviet Union—and if I were them, I would do it, too—are going to be in a position to split off from the government, and the result is going to be a Balkanized Iran. The impact on the small gulf nations such as Saudi Arabia, the United Arab Emirates, Bahrain, and Kuwait, is just going to be catastrophic.

Senator DENTON. Sir, you mentioned ignorance on the part of those who signed the letters to Rajavi. You can perhaps understand my own frustration after having conducted 2½ years of hearings to dispel ignorance on the subject. It is not malicious, it happens because we have about 7,000 issues out there on the floor. But, as you point out in your paper and your statement you can think of nothing that deserves more priority in the Congress, and I can tell you there is nothing nearer the bottom of priorities, than this.

There was a briefing. CIA and another intelligence official spoke to perhaps 25 Senators. When they mentioned that Carlos might be in Canada, about to cross the border, I looked around and I could see that not one knew to whom the gentleman was referring. Carlos is an international assassin and terrorist.

And finally a Senator really well qualified in foreign relations and military affairs, a good man, raised his hand and asked who is Carlos. And the others were just as interested.

Now, if you think you knew the depths of ignorance that exist in this body about terrorism which should be one of highest priorities, be my guest in learning about that.

Mr. Sicker, what is the most significant trend that you see developing in the area of international terrorism as it relates to this country?

Mr. SICKER. I think the most significant trend is in the state use of terrorism, state-sponsored terrorism, whereby a country uses terrorist acts, for foreign policy purposes in a way which is difficult to respond to. It is particularly difficult for Western countries, and probably most difficult for the United States, as I pointed out in my statement before, in regard to our problem of reacting.

For example, Qadhafi is by no means a madman. He uses terrorism, although it appears to be indiscriminate, in a very clever way, in a way for which it is very difficult to get back at him, but which serves very clear foreign policy purposes of not only Libya. It also serves Soviet foreign policy interests in a very clear way. And of course, the best clue to what Qadhafi means is just to listen to what the man says. There is no deception involved. Qadhafi has announced that he is going to bring chaos to the Western Hemisphere to force the United States to pull its forces out of the Middle East so that the United States will have no major role in the Middle East, leaving it up the radical Arabs to do as they wish. Qadhafi is very serious about this.

As an observer of the scene from outside of Government, I feel a tremendous sense of frustration over the President being unable to get through a program for $14 million of aid to the Contras in Nicaragua at the same time that Qadhafi just gave $100 million in aid to the Marxists in Surinam. It is very difficult to deal with this kind of problem because Qadhafi has enormous resources, although by no means anywhere near the resources that we have. But his targeting of those resources to affect our interests very clearly and specifically is going on continually.

Qadhafi is not wreaking havoc, creating turmoil in a place as remote as New Caledonia because he has nothing else to do. He is clearly affecting western interests and the security of the whole world. This is why Qadhafi is involved in the Philippines. Only last year the Thai Government refused to permit the establishment of a Qadhafi-sponsored Islamic center in Thailand for fear that it would unleash a wave of terrorism in Thailand.

So here we have a man who is using terrorism very shrewdly—it appears to be indiscriminate, it appears to be mad, but it is serving a very clearly defined purpose. And unless we begin to understand that, we will never really be able to cope with the problem because it is not a problem of catching individual terrorists. This is organized terrorism operating on a worldwide basis, with worldwide interconnections, ultimately serving a very clear political purpose.

Senator DENTON. Well, it is my belief that when the ignorance in this body, in the American public, and on the part of the media is dispelled, the most liberal people are going to be the most fervent about uncovering terrorism and combatting it. The distance from here to there is what drives me up the wall and keeps me from sleeping at night.

You know, I was offered a couple of hundred thousand dollars on a recent trip if I would just get together with some fellows that wanted to propound the virtues of Mr. Qadhafi. I could not believe—they approached me, in a foreign country, and asked me if I would be interested in helping my people understand Qadhafi better. They let me know that there was plenty of money involved, and they started out with a couple of hundred thousand dollars.

Last night I was watching a television program, not from a regular network, all pro-Qadhafi, and it went on as long as I could stand it. I mean, I watched it for about 45 minutes. It was childishly simplistic, but nonetheless, there it was. After all, we know that Qadhafi has $8 billion in disposable income.

I do not know what we need to do in this open society, but one thing I think we have to do is dispel the ignorance about terrorism. And I am so happy that Senator Lugar acquiesced in our hearings. I hope that if you were not already, you are even more impressed with the degree to which terrorism has become a new force in international affairs, undiscerned by, I believe even our policymakers in the State Department, and certainly unknown to most of us because it has so rapidly developed.

Wed terrorism to drugs and the finances which are available there, and it becomes almost an avalanche as a force and trend in international affairs.

Do you agree with that?

Mr. SICKER. Absolutely. I think that Qadhafi, and not only Qadhafi but also other states using terrorism for these kind of purposes which happen to coincide very well with Soviet purposes—although it is almost impossible to draw the actual connection in any way that anybody would be happy with, but nonetheless, the coincidence is overwhelming—poses a serious problem. The purpose of these activities ultimately is destabilization, and they are succeeding in doing that.

And they are succeeding, ironically, with the complicity of the various governments involved, including the U.S. Government. Not complicity in any active sense, but in the sense of the sin of omission rather than the sin of commission.

In Libya today, the United States corporations are still very active, and not only oil corporations. Not only do we not put any pressure on our own people to cease operations, Qadhafi's latest major infrastructural developments are all being engineered by American firms who are the preferred engineers for Qadhafi's schemes, the heavy construction is being done by countries that we give foreign aid to but have no strings on. South Korea has almost 3 billion dollars' worth of construction contracts in Libya. Turkey has enormous amounts of construction contracts in Libya, all of which convinces everyone that the United States is not serious in dealing with Qadhafi. Qadhafi is certainly convinced of it, and so is everybody familiar with the problem in the area.

Nobody takes our response seriously, which only compounds the problem of getting the American people to understand what is taking place.

Senator DENTON. Thank you, Mr. Chairman. I am learning a lot from this hearing.

Chairman LUGAR. Well, thank you very much, Senator Denton.

I would just add that the Foreign Relations Committee really did not acquiesce in having the hearings, we were most encouraging of your leadership and eager to be a part of this educational process for ourselves and the American people, and we are appreciative that so many members of our committee have taken part in the hearing this morning and plan to do so.

Senator DENTON. I did not mean that in a condescending way, sir. I meant that you have so many priority problems, like Geneva, that it took an act of judgment to defer to it.

Chairman LUGAR. You are very gracious.

I would like to call upon Senator Pell for his questions.

Senator PELL. Thank you very much, Mr. Chairman.

What would be—I would like from each of you your definition of what terror is, a short definition.

Mr. Adams. Terrorism is a tool beyond the norms of what accepted, perhaps, war is, where there is no Geneva convention, where it is violence without a declared state of war, where there are no innocents, where foreign policies are advanced or goals achieved by what appears to be the indiscriminate use of violence. That is as close as I can come to it.

Senator Pell. What would be yours, Mr. Sicker?

Mr. Sicker. Well, it would be very comparable, but I would only add the one facet that terrorism is the use of this kind of violence outside the normal framework of war or conflict on people-conflict, for the purpose of forcing conformity of behavior far beyond those affected by the act of violence. In other words, the act of violence poses the threat which then makes people react in a certain way in order to avoid further violence. For example, in the instance I gave of the West German Government, 2 years ago there was a similar incident in Germany. The German Government reacted strongly. Qadhafi took eight Germans in Libya and held them as hostages in Libya. The German Government ultimately came to a resolution with Qadhafi. Now Qadhafi has somebody assassinated in Bonn, and the German Government will not even do that, but simply recalled its ambassador as a form of protest, for fear of exacerbating the crisis.

So Qadhafi won that one. He has in effect told West Germany that if they want to continue getting commercial contracts and maintain commercial interests in Libya, if they want to continue getting Libyan oil, which to some extent they have allowed themselves to become dependent on, then they have to play along with him and do what he wants. This is the success of terrorism. To the extent that he can do this to the United States, there will be a similar kind of outcome.

Mr. Adams. The same thing is true with France.

Mr. Sicker. Yes, of course.

Mr. Adams. Italy, and also Great Britain.

Mr. Sicker. Well, it is true of many countries. I only used Germany as a particular example.

Senator Pell. Why is it that the cooperation between us and our allies is not closer when it comes to trying to snuff out terrorism?

Mr. Adams. Senator, I think that it is because the emperor has appeared naked too often.

Senator Pell. I am sorry, could you talk louder?

Mr. Adams. The emperor has appeared naked too often. I think our problem at Desert 1 during the rescue effort eroded a great deal of confidence that not only our allies but also gulf nations have in our ability, capabilities to undertake action either on our own behalf or theirs. I think the Beirut bombings, which was the single most effective terrorist attack in the history of terrorism, also displayed that we just simply don't have the kidney for it, and the response of our allies has been to go their own way in making rapprochments with the various governments.

You mentioned, Doctor, West Germany as a very good case in point. I am not going to identify this individual because I think there are people in the room who would know him, but he used to be a very high official in the Bundesnachrichtendienst, which is West Germany's CIA.

Senator **Pell**. Could you pull the mike a little closer?

Mr. **Adams**. Yes, sir. This individual used to be a very high official in the Bundesnachrichtendienst who I have been acquainted with for several years, and he indicated to me over the phone, he said, well, he said, you know—I was talking to him about the attempt by Union Croftwerker, which is a major German company, to bring back on line complete plans to build two new nuclear reactors in Bushire for the Islamic Republic, and I had understood that this was a quid pro quo deal between the West German Government and the Islamic Republic in return for keeping their noses clean in West Germany.

And he said, well, I have heard that, too. But he really did not know where my questions were coming from at this point. And then he went on to say, he said, well, Great Britain revealed the identities of certain high level Tudeh Party members to the Islamic Republic security forces in the hopes that they would be able to do business, better business with Iran.

And he said, of course, the French can not do business with Iran. Meanwhile, Iran will not do business with the British really, truly, because they consider themselves imperialists—they consider the British imperialists, and most Iranians do.

He said, they will not deal with the French because of French support with Iraq, and of course they are not going to deal with you Americans. And then he said: "So why shouldn't we Germans make a profit?"

Now, this is a man who used to be one of the top officials in the Bundesnachrichtendienst, and I think his statement you can overlay on the rest of our NATO allies.

Senator **Pell**. Why is it, in your view, that we have had less death from terrorism in our country than they have abroad, and yet when it comes to sending people to jail, we are pretty high? Is that because of the good work on the part of the FBI?

Mr. **Adams**. I think partially, yes, Senator.

But why go into the lion's den to bait him and poke sticks at him, when you have got him in a position where he cannot leave his den?

The most dangerous elements of terrorism are abroad, are basically in the Middle East. And I would have to say that Iran is far more dangerous than Qadhafi is, far more dangerous. Iran does have a capability in this country. Any time you want to drive up to the Algerian interest section, sir, at night, take a look at all the D.C. cabs that are up there. Khomeini does have operatives in this country.

It was several years ago when Mr. Tabatabai was killed by David Belfield, who was a Khomeini operative. And David Belfield is now known as Daoud Saluddin, and he is a mullah in Teheran. He travels widely, I might add, throughout Africa.

Senator **Pell**. Thank you.

Chairman **Lugar**. Thank you, Senator Pell.

Senator Helms.

Senator **Helms**. Thank you, Mr. Chairman.

Nothing could be clearer, after the four presentations this morning, than that we are now in the position in this country of trying to learn how to unscramble the mess. The downfall of governments that were friendly to this country and to the cause of freedom is a historical fact.

You can go back to Iran. Everybody was protesting the Shah. And this Government, through its State Department and others, had as much to do with the overthrow of the Shah as anybody else.

Nicaragua. Somoza was not anybody's cup of tea in terms of perfection, but he was way ahead of whatever is in second place, namely the Sandinistas.

You move over to Africa, Rhodesia, and I defy anybody to say that the standard of living in Zimbabwe, not to mention the possibility of staying alive, is now better than it was. This Government, this State Department, through a previous administration deliberately overthrew—by a pretended democratic process—Muzorewa and now we have a Marxist there—Mugabe.

So you cannot isolate terrorism and cruelty and examine that unless you understand what preceded it, and that is the problem. With all due respect to the news media of this country, the major news media of this country have not told and are not telling the inevitable and ultimate consequences of what we have been doing all over the world.

Central America is a good example. I sat appalled and watched the political machinations with respect to $14 million in symbolic aid to freedom fighters in Nicaragua. Now, I do not question the sincerity of anybody that disagrees with me. I just say that they are sincerely wrong.

But the fact is that if we do not get a grip on the total picture of what has been going on in this world, the very future of the United States is in jeopardy.

Let me compliment both of you gentlemen. You are articulate and eloquent men. Mr. Adams, as I read your entire statement, I found myself wishing two things: One is that you had presented it all. You skimmed it in the interest of time.

Mr. Chairman, I wish there was some way that everybody in America could read this, what I have in my hand, and they would have some understanding, because it is written in a clear, concise way that is not complicated with bureaucratic terms. I commend both of you.

Mr. Adams, I am going to repeat a little bit with this line of questioning, but I am doing it for a purpose. I want you to walk me through the process of how Iran supports terrorism. Does Iran coordinate and dovetail with other movements in the Gulf and in Europe and beyond?

Mr. **Adams**. Yes, they do, sir.

Senator **Helms**. And do you believe that Iran directly controls terrorism which has been attributed to the Islamic Jihad, which of course is the group that twice bombed our Embassy in Lebanon and murdered our marines in the truck bomb attack?

Mr. **Adams**. Yes, they control Islamic Jihad, sir.

Senator **Helms**. You answered this question, but let us have it all in one little neat package. How do you perceive the future of Iran?

How long will it remain a threat to the region, to the Gulf States and Pakistan?

Mr. ADAMS. I think, Senator, you have cut to the core question. I am not going to wave a banner of red menace. I am simply saying that the Soviets would be very, very foolish indeed if they did not act in what they perceive to be their own self-interest. I think that following the Ayatollah's death, the Imam's death, there are so many competing groups in Iran today that he manages to keep apart simply because of his glue as the Imam, I think there is going to be a major upheaval in Iran.

And I know for a fact that the Soviets have managed to penetrate and coopt very important elements in the Kurdish ethnic autonomy movement, also in Baluchistan, and also in Azerbaijan. Now, the Soviet Union controlled Azerbaijan during the war and left in 1946. It was called the Azerbaijan Democratic Republic. And they have made no secret in speeches that Soviet officials have given in nearby Baku that they intend to return. I would if I were them.

Now, if they manage to coopt fully these forces for independence in Iran, they will be able to control by proxy a slab of territory that runs south from Afghanistan to the Straits of Hormuz. That would be on the Gulf of Oman or, if you will, the Arabian Sea.

They will control the slab that follows their 2,400 kilometers of border, and they will control the back door to Turkey. Now, this in addition to Afghanistan presents the Soviet Union with what basically is a fait accompli. What are we going to do about it? What is the United States going to do about it?

I can suggest what our allies will do about it and what the gulf states will do about it. They are going to make their own deals. Kuwait already has. They have made significant, significant Soviet arms purchases, after we had turned around and refused to sell Saudi Arabia and Jordan Stinger missiles. And then what we did is we turned around and offered the missiles to King Fahd, five of them for his yacht. But he couldn't buy them; he had to lease them.

Now, the impact of this on our Islamic friends is shattering. Of course King Hussein was furious. I would be, too. Would not you? It is humiliating.

We turn around to the Turks—and because of the Cyprus issue, the Turks have a number of significant military orders, as you know, in this country—and we tell them: We are not going to give them to you. We are going to put them in storage. And then we charge them storage fees. Now, if that is not counterproductive I do not know what is.

And if you couple this, this basic insecurity in U.S. intentions, and this change that seems to occur, although it didn't in this last election, every 4 years here, this uncertainty of how we are going to react, this unreliability of policy, and then you couple this with Soviet interests in Iran, and we have a real problem. The West does have a real problem.

And I think you have to in a sense look beyond these terrorist acts, because these are certainly awful, terrible, no question about it. But if we attack Iran, for example, today in reply to the execution or assassination of somebody, what is the posture of the Soviet

Union going to be? I think it is something we have to ask ourselves, because there is a treaty in force.

Now, the Shah tried to say that it was not in force any more and Khomeini has tried to do the same thing. But the Soviets say uh-unh. And it was only a month and a half ago when the Iranians had a major delegation sent to Moscow patching things up.

Sheik Oleslam, the Deputy Foreign Minister, has said that basically, of all those non-Islamic countries, our closest ties have to be with the Soviet Union. That is common sense; 2,400 kilometers of border, Soviet Armed Forces just across the border, common gas lines. Certainly.

But I think these things have to be considered, Senator.

Senator **Helms**. You are exactly right. It is so complicated, and Americans have been spoon-fed the idea of instant easy solutions, using Marquess of Queensbury Rules. And of course, there is no such possibility if we have any notion of protecting our own people, not to mention freedom in the world, giving it a chance to survive.

How many dissident groups, if they could be called that, do we have available to us upon whom we could call for support in terms of a free Iran?

Mr. **Adams**. Well, there of course is the Mujahedin al Khalq, which is Massoud Rajavi's organization, and allied groups. I personally, in knowing a good deal about the Iranian exile community in both London and Paris, would have to say that the group which is led by the coalition of former Prime Minister Bakhtiar and Ali Amini are the most moderate, and they do have the support of elements, disaffected elements in the military in Iran today. They do not have the insurgent capability inside Iran that the Mujahedin al Khalq do.

But if—and I do not think this will happen necessarily, but if Khomeini is replaced or if the Mujahedin al Khalq have a major say in the government, a non-Islamic government perhaps, that will follow Khomeini, it is going to create enormous problems for the West, specifically the United States.

If we were to support any of them, I would have to say that the Amini-Bakhtiar group—and I know we are not supporting them—would be most deserving of any type of support, if we are talking about what our self-interests are. And I think we do have to decide in this country.

I am a journalist. I mean, I should not even be here. But I am frightened by it. I am scared, because I am citizen and I am a member of the world. And I think that many—I have listened to the criticism of my colleagues. I do not necessarily subscribe to that, but I think that sometimes we all fall victim to this insularism which is present in the United States.

And it gets to a degree that if you take an American out to the continental shelf, he will say: Please do not go any further; I might fall off the edge of the world. This is something that goes into our education and lack of international education. But it is something that surely is hindering us.

Senator **Helms**. You said too many times the United States has allowed itself to be exposed as the emperor without any clothes. A simpler way to put that is put up or shut up. Are we going to defend the American people or are we not? Those Americans who sit back, complacent and content and say, oh well, it cannot happen here, had better watch out, because it is just in the offing in Central America. If we fail to do what we must do in terms of aiding those freedom fighters, then you are going to see terrorism flowing across the borders and into the United States in a marked degree.

Well, Mr. Chairman, I am just philosophizing a little bit, and I am sorry I ran on, but thank you very much. And thank you, gentlemen. I very much appreciate it.

Chairman LUGAR. Thank you, Senator Helms.

Mr. Adams, in the conclusion of your statement you had two action steps, one of which was the consolidation of antiterrorism efforts in our own Government. You suggested that at the highest levels and under the direction of a member of the Cabinet, all of the efforts that are now dispersed in many bureaucracies of the Government ought to be brought together.

Let me ask you, if you will, to develop that thought just a bit more. One of the points that has been made in response to Senator Helms is the thought that in a democracy and maybe in recent U.S. history we go back and forth in terms of our emphasis or our policies.

I am not suggesting a dispersal of the effort throughout all the elements of Government as an antidote to this.

I gather for the sake of efficiency and effectiveness you would still come down in favor of centralization. Will you duscuss that for a moment?

Mr. ADAMS. Yes, sir, I will. I think that there are many countries in this world who are also democracies. We do not have a corner on democracy or freedom in the United States.

Indeed, there are some instruments in Britain that are a good deal more democratic than our own. Britain has its Special Air Service, its MI-5 and MI-6, its community of the secret intelligence services. They are able to do this. Germany has its Grenzpolizei. They report on very shortened command lines.

I am not recommending any legislation. That is not up to me at all. But if you are asking, as I mentioned in my statement, about what could be done, we simply have got to get rid of this terrorist chic in this country, where every agency and every bureau, every bureaucrat, sees a career and an empire built around it.

We do have some extraordinary talent in the United States—I know some of them—who are quite good on terrorism. But the effort is diluted and it is spread out, and there has been duplication.

I am not saying set up a separate all-powerful central agency operating under the executive branch. There are agencies in existence who could provide the umbrella for this. But I think that we ought to get people out of the terrorist business who have no business being in it, and to concentrate our best talents—and that includes the Delta Force, because the Delta Force does not belong to the State Department nor does it belong to Congress. It belongs to the Army. Well, of course it belongs to Congress.

But it has got a chain of command of generals. They have go to through—I know for a fact that the Battleship *New Jersey*, for example, when it undertook a fire mission off Lebanon had to go through five separate chains of command.

And the fiasco that took place on Desert One is another example of this. There you had an Air Force general orbiting over the gulf in an R-130 or whatever, and you had an admiral that was involved in it, and you had somebody else that was involved in it. And you just simply cannot run a railroad that way and hope to control effectively or at least counter effectively in a preventive sense terrorism.

Chairman LUGAR. Well, let me just say that I share the strength of the testimony that you and our first two witnesses have given about the need for adequate intelligence in this country and an enthusiasm for strengthening those agencies with anti-terrorism responsilbilities.

I think it is apparent, at least to many who have served on the Intelligence Committee, have heard testimony back and forth for many years, that there was at least a period in the recent history of our national life in which there was skepticism about the executive branch, and a part of this dispersal may have been a result of that.

The gist of the testimony now, and I suppose the enthusiasm of some of us listening to it, is that we have gotten over that period and we have to think seriously about how to be more effective in this respect.

Your second conclusion, of course, carries this a bit further. Having gotten our act together, you are suggesting that fighting terrorism is a dirty game and we therefore must fight a dirty game. You are troubled by the moral dilemma involved in all of this, as indeed Americans ought to be.

But what is the proper check and balance system for a situation in which we reorganize our antiterrorism capability as a nation? We do this at the highest levels, we have the means at our command, and a fairly short span of command, really, to get going on it.

At what point should Congress enter in, or anybody else, to monitor what is done so that there is not a growing fear on the part of the public that somehow or other people in high places might run amok, all under the guise of antiterrorism, but without checks and balances, with all of the dispersal and the openness that our society now has?

Mr. ADAMS. I agree with you entirely. And Brian Jenkins mentioned this, of course, of our need to preempt. As I also said, I would rather see prevention rather than preemption and retaliation, because of the lives of innocents.

For example, the Washington Post mentioned the bombing that took place in Lebanon in an attempt to assassinate Mohammed Falala. They not only missed their target, but they killed 30 people—no, more than that; I believe it was 80—who were not their targets. This cannot be allowed.

And I am not advocating assassination. What I am advocating is I am advocating the use of suborning certain individuals. And we have agencies in this Government that do it all the time.

Chairman LUGAR. What do you mean by "suborning"?

Mr. Adams. Blackmail. I am not talking about outright blackmail. If an individual does this, that happens to him. In other words, his name is given to certain people and he is arrested, or worse. He goes to jail. Maybe he will not go to jail if he cooperates.

The FBI does this. The DEA does it. And I think any kind of group that deals with terrorism has to be given the same type of mandate. Of course there have to be controls, and the controls have to be vested in Congress. But to exercise effective and knowledgeable control, Congress has to be educated about it. The people who are going to be exercising that control have to know what is at stake, what the alternatives are.

And I repeat again that I find myself in a moral dilemma when I find on the one hand Americans are so quick to say, well, we do not do those kind of things. There are certain individuals in the Iranian terrorist network who are very, very vulnerable indeed, not only in the Middle East but also in Europe. And again, I am not talking about assassination.

But we do not want to get involved in that business; however, we will turn around and we will launch an F-14 raid that is going to kill an awful lot of innocent people. And that is my moral dilemma. It seems to me very hypocritical.

Chairman Lugar. Thank you.

Senator Denton.

Senator Denton. Perhaps you are familiar with what we studied in our international affairs class in the so-called war colleges. It is something called the strategic pyramid. It represents the considerations which go into the development of the national strategy. And it is composed at the very top—the tip of it represents your vital national interests and survival.

After you figure those out, you develop national objectives, and you have an objective such as protecting Western Europe from Communist takeover. Or, we might have an objective to have an educational system, a welfare program, and those sorts of things.

Then after your objectives, you develop policies, and then ultimately the bottom lines, the commitments.

We are discussing all four processes almost interchangeably. We are discussing whether or not we would have to play dirty and in what manner, and so on. We are discussing organization of the Government to undertake the controlling, the command and control system by which objectives would be pursued and so on.

I submit that right now our first priority is the situation out there as it impacts on important and vital American interests? What does terrorism, and the recent wedding of convenience between it and drugs, represent in terms of threats to our national interests in many, many categories?

Then we can start looking for objectives, policies, commitments, and organizations on how to do it. To me the lack right now is for objective knowledge. And I am not yet ready to jump into retaliatory attacks or reprisals or preemptive strikes. Those are commitments. I hope that these hearings will get at the estimate of the situation as it affects our interests, so that we can get going on this.

And I do not propose to be the guy that is running it. I am not personally interested. I am just interested as a citizen and as an

American and even as a human being in the preservation of freedom.

But I hope that you would choose to continue this kind of inquiry into the estimate of the situation, so that we can develop the actions that are required.

I certainly admire the way you have been going about this.

Mr. Adams, you said that you thought the Beirut bombing was the paramount act of terrorism in terms of its effect. I would wonder where you place the Tet Offensive in that respect. My captors candidly agreed with me that it was nothing more than a propaganda demonstration by terrorist means which would be misinterpreted as a political victory and thus affect U.S. opinion and policy in a detrimental way. They turned out to be correct.

Would you not agree with me on that?

Mr. **Adams**. Yes, I would, sir. The Tet Offensive, of course, was a major psychological victory.

Senator **Denton**. By terroristic means, really, not particularly military.

Down in Nicaragua right now we have a crisis in terms of psychological effect. It even transcends the political and military balance of power. If we do not pass this test of understanding that situation, the smaller nations, even the larger nations, are going to have the wrong psychological perceptions, they are going to go the wrong way. We do not have to have it happen here. But if it does, we would die on the vine, the same way Khrushchev meant it when he said "We will bury you," because it would then happen elsewhere to such a degree that we would no longer be able to sustain ourselves economically much less politically and militarily. That is, you know, the way I look at the magnitude of the problem.

Mr. Sicker, the United States mission in Lebanon was tragically attacked twice, and our military people were withdrawn to try to stabilize the situation.

Do you have any information about the sources of protection for our Embassy prior to these attacks and prior to the Israeli invasion of Lebanon?

Mr. **Sicker**. Well, I think that it is reasonably well known among people who spend their time focusing on the Middle East that, effectively, we participated in a protection racket operating in Beirut where the PLO in fact was providing protection for the embassy. Constant negotiations were going on on an informal basis with the PLO which explains why it was so easy, once the crisis developed in Beirut, for the PLO to provide, as you know, safe conduct for various people going through the city.

Senator **Denton**. That is strange. We are not supposed to be having direct contacts with the PLO, and yet here in the complex, duplicitous dealings of the Mideast we had to rely on them in our own desperation and policy confusion for protection.

Mr. **Sicker**. I think it is a parallel to what is happening in Libya, except for the fact that this is the United States Government itself working against its own policy as opposed to private interests not conforming to American governmentally declared policy.

Senator **Denton**. Mr. Adams, the possibility for a debacle in the Mideast and the possibility of the Soviet Union stepping in under the pretext of reestablishing stability, has been of so much concern to me that one of the first acts I tried to undertake as a Senator was to amend the War Powers Act, so the President could call up a greater number of reserves without declaring a national emergency. Transcending the questions which we are now discussing about policy and whom we ally with in Iran to achieve freedom, we have the absolute fact that in the Mideast there is not a good balance of military power were we to have to intervene there militarily. The armed services are acutely aware of that, and I am speaking as an authority on this.

I succeeded partially. The President can now call up the people with needed skills and retain them through an emergency. That might mean infantryman, frankly. I point this out because we, as you know, Chairman Lugar, are shaky with respect to how much time it would take us to respond to the Soviets if they went into Western Europe by conventional means alone.

General Rogers recently said if you can get our NATO allies to increase defense appropriations by 3 percent a year, in so many years he thinks he can meet that kind of challenge, but for right now it is questionable.

Now, I have personally known all of those strategic allied commanders for many years and they all would not say it quite that clearly in public, but they all felt the same way.

And here, we have just cut our own defense growth to zero. That is very relevant to what we are discussing today because that is yet another sign to the other side about what to do or what not to do, and how credible we are about wanting to survive as a nation. Cutting defense as a political move to show that we are equitably cutting everything is not in accordance with the Constitution. We are supposed to provide for the common defense. We are discussing matters today which prove that we have not provided and are not about to provide for the common defense of our people, business, and military interests around the world, including our access to oil.

So I wish to introduce that as a consideration.

I saw some media people nod when you said you should not testify here, Mr. Adams, because you are a member of the media. I would like to report that we did invite Robin Wright from CBS. She would have been asking the liberal type questions, perhaps the same thrust as Senator Pell. I respect that source of motivation. She declined to come last week, and we were disappointed.

Tomorrow we will have a Ms. Laurie Becklund of the Los Angeles Times who has conducted her own investigation of drug traffic in Central America which will perhaps contrast with some of the other testimony.

I was just informed that she just canceled.

It is not our fault that we cannot stimulate a dialog here between different points of view.

But let me say that the media have been a great source of information for us, not only the Reader's Digest, but Claire Sterling, who was a Communist in college, a left-winger, self-styled, today. There is a liberal television producer in Atlanta, GA, who is conducting his own investigation, very helpful to us, with respect to what is happening to the society, not just the government, not just the security interests of the United States, but the actual society of Colombia as a result of its destabilization through the terrorist/

drug situation down there. It is mind-boggling. And the fact that our people are not aware of it is of deep concern to me.

I just want to see us get together and find out what there is to know out there and then act intelligently on that instead of just splitting across dove/hawk, liberal/conservative, government/media lines. We are ruining the prospects for our own well being and survival that way.

I am sorry for that, Mr. Chairman, but I feel it very deeply.

Mr. Adams, we hear there have been several terrorist attempts that failed or were foiled, like assassinations, airline bombings and the like.

Do you have any information on such near misses? I know some were included in your written testimony.

Tell us about the Pan Am event at Christmas time.

Mr. ADAMS. Well, this was an event, Senator, that took place in Istanbul, Turkey, linked to Iran, on December 23, 1983. An individual taking an Al Italia flight to Rome, overnight and then connecting the next day onto a Pan Am flight nonstop from Rome to New York, insisted that his bags, instead of being collected by himself after landing in Rome, remain in the interline baggage area overnight, and he insisted on this to a point where he attracted a great deal of attention to himself, and finally the Al Italia clerk at the counter agreed and said yes, you can leave your bag at the interline baggage facility overnight.

Before boarding the aircraft, he must have had second thoughts because he did go through security, he did have his passport exit stamped, but he did not board the aircraft. Therefore, his bag was left outside the airplane because if you fly in the Middle East, many airlines, most airlines will insist that you identify your bag before you board the aircraft.

When no one stepped forward to identify the bag, they opened it and they found some Pampers, including some soiled baby diapers, possibly to throw off dogs, and a Marlboro carton of plastic explosives, and there was a video timer attached to it, the type of things you find on VCR's, Betamaxes, and it was set for 11 hours. However, it had not been tripped yet.

The belief is that there was an individual that was inside the facilities at the interline baggage holding area at the airport in Rome who was going to activate it. The bomb would have exploded on the Pan Am flight probably somewhere over the Atlantic, and that on December 24, I checked on the load factor of the airplane, it was about 98 percent full.

Just last year, last April, an Islamic Jihad hijacking team was followed or was spotted in Bombay by—they were tipped off by an intelligence service, the Indians were, and they followed them, and they spotted the surveillance and managed to flee. However, their intention was, as I am informed, to hijack a Pan Am aircraft. There was a secondary possibility of a Kuwaiti Airlines flight.

So many of these terrorist attacks, the one we read about, are preceded and followed by very close misses that almost make it but do not, and as you mentioned, you say the press nodded that I should not be here. Well, as I say, I am a human being, and I am very, very concerned about it, and that is why I am here because maybe I would be on the airplane, maybe my wife would be on the airplane.

And simply because I am a member of the media does not mean I can wash my hands of it.

Senator DENTON. Thank you very much. I want to add something for Senator Lugar. He had an appointment at 12:45, for which he is now late. The Senator goes home every night looking like some of the college students loaded down with a pile of books. I go home fairly late, and I run into him almost every night, and he has got all that stuff he is taking home, so I was not exaggerating when I thanked him for taking the time to conduct these hearings. I hope they turn out to be meaningful from your point of view, sir.

Chairman LUGAR. I am certain they will, Senator Denton, and I appreciate again your leadership over the years in this area.

For the moment, we will thank both of you for your testimony, for your forthcoming answers and your assistance in making these hearings successful, and this first hearing of the series is adjourned.

[The following information was subsequently supplied for the record:]

台灣人公共事務會
Formosan Association for Public Affairs
538 7TH STREET, SE. WASHINGTON, D.C. 20003
(202) 547-3686

'85 JUN -8 PM 12: 12

June 7, 1985

The Honorable Strom Thurmond
The United States Senate
Washington, DC 20510

Dear Senator Thurmond,

I was shocked to learn of the statements made about my organization during the joint hearing of the Senate Committees on Foreign Relations and the Judiciary on May 13 of this year, examining the subjects of terrorism and drug trafficking.

According to the hearing transcript, a witness at the hearing, Dr. Ray Cline, the President of the Committee for a Free China, an organization which supports the government on Taiwan, made the following statement in response to a question by Senator Denton:

> ...[T]he climate of violence which is being created everywhere caused that group, the Taiwan Independence Movement, and its subordinate groups, the United Formosans for Independence, and the Formosan Association for Public Affairs, to give up their efforts to win power by political and parliamentary methods, which were entirely open to them when they obeyed the law in their own country, and turn to these terrorist acts.

I am amazed by Dr. Cline's statement for several reasons. First, it is categorically false that the Formosan Association for Public Affairs (FAPA) has "turned to...terrorist acts." I would challenge Dr. Cline to provide the evidence and sources for this irresponsible charge. No member of FAPA has, to my knowledge, ever been arrested, indicted, or convicted, in the United States or anywhere else, for carrying out an act of violence or any other crime. Moreover, as an organization, we condemn terrorism and violence. All of our work is conducted through peaceful, legal channels.

Second, there is, to my knowledge, no such organization as the "Taiwan Independence Movement." Certainly, there are individuals and associations, both on Taiwan and abroad, advocating that Taiwan become an independent nation. The most prominent organization favoring this is the Presbyterian Church in Taiwan, which has suffered harassment at the hands of the Kuomintang (KMT, or Chinese Nationalist Party) authorities on Taiwan as a result.

Regardless, FAPA is not a "subordinate group" of any other organization. Furthermore, we do not take an institutional position for or against the independence of Taiwan from China, although we do believe that the majority of the populace on Taiwan, if given the choice, would favor independence. Rather, our organization's major desire is to affirm and implement the right of the people on the Island to make a free and uncoerced choice regarding this question. In short, we support democracy and self-determination for the people on Taiwan.

Moreover, it is our desire to put an end to what we believe is a 36 year history of real terrorism perpetrated against the people on Taiwan by the KMT authorities. Because of its refusal to acknowledge its defeat in the Chinese civil war, the KMT government has continued to proclaim an "emergency" and to use martial law to guarantee its absolute power. This brutal and corrupt system of rule led to 20,000 deaths in 1947, when the KMT suppressed a Taiwanese revolt, and more recently to the murders of critics of the KMT government, including Henry Liu and Professor Chen Wen-chen of Carnegie-Mellon University, as well as three members of the family of Lin Yi-hsiung, a Taiwanese human rights lawyer.

Finally, I am baffled by Dr. Cline's statement that our organization has given up our "efforts to win power by political and parliamentary methods," etc. This comment reveals the extent of Dr. Cline's confusion about our organization. We are not a political party on Taiwan; indeed, we have no members, offices, or other physical presence on the island. The majority of our members are American citizens, although we also have members in Japan, Latin America, Western Europe, and Canada. All of our members are law abiding and peace loving people. Many have achieved distinction in their chosen professions.

Our organization is incorporated in the state of New York here in the United States. It is therefore an absurdity to suggest that we ever conducted "efforts to win power" on Taiwan by any means.

For your reference, I am enclosing a copy of a recent statement by Senator Pell concerning our organization. This statement appeared in the Congressional Record of June 5 of this year.

I respectfully request, if it is possible, that this letter be included in the formal record of the hearing in question. I am also writing a similar letter to Senator Richard G. Lugar, the

Chairman of the Committee on Foreign Relations, and making a similar request of him.

Thank you very much.

Sincerely,

Mark Chen

Mark Chen, Ph.D.
President

MC:mjc
Enclosure
cc: Senators Denton
East
Hatch
Leahy
DeConcini
McConnell

islative team member, like the British solicitor, share in giving him counsel.

Such a role for the legislator in a critically important international negotiation does no violence to the Constitution. The two branches do not merge; they merely conduct their healthy adversarial relationship in a different way. The Congress has always controlled the purse strings of the administration—and, therefore, ultimately the national security policy of the government—and the Senate has always had the power to advise and consent on treaties and appointments.

In these important arms control negotiations it is essential that the legislators help shape the product as it moves down the assembly line rather than be asked to take or leave it when it appears on the showroom floor.●

REA ACHIEVES THE 50 YEAR MILESTONE

● Mr. ARMSTRONG. Mr. President, 1985 marks the 50th year of the advent of rural electrification in America. This is a milestone worthy of recognition throughout the Nation because of the vast achievement that the REA Program represents.

Today it is nearly impossible to imagine life in the United States without electricity. Electric power has become such an integral part of our lives and work, it is taken for granted. It is therefore quite unlikely that anyone who did not experience the revolution of electrifying rural America could really appreciate the magnitude and importance of it.

In 1935 only a tiny fraction of rural people had electricity and the task of creating a network of distribution facilities for the huge, thinly populated areas of this country appeared impossible. This was particularly true of the seemingly endless plains and rugged mountains of Colorado. In 1935 only 11.2 percent of Colorado farms had central station electrical service. The creation of the Rural Electrification Administration provided the mechanism whereby farmers throughout Colorado were able to build local organizations capable of delivering the blessings of electrical power to every corner of the State.

On Colorado farms 98.4 percent now have electrical power, but the citation of that statistic is not adequate to describe dedication of the thousands of Colorado men and women who worked tirelessly through the years to create this modern miracle.

It is my pleasure today to commend the leaders of rural America who made REA a reality. I would particularly like to recognize David A. Hamil of Atwood, CO, as one of those outstanding leaders. Dave Hamil and two of his neighbors, Phil Guenzi and William Seckler, were the organizers of Highline Electric Association—one of Colorado's first REA co-ops. He then went on to cap an illustrious public service career by serving over 14 years as the national REA Administrator under three Presidents—Eisenhower, Nixon, and Carter. Under Dave Hamil's leadership, REA evolved into a mature system serving to augment and improve the most productive agricultural system in the world.

I am confident the same spirit that built REA will continue to guide this unique invention of the American system as it meets and adapts to the challenges and changing circumstances of the future.●

THE FORMOSAN ASSOCIATION FOR PUBLIC AFFAIRS

● Mr. PELL. Mr. President, I wish to draw to the attention of my colleagues the fine work being done by the Formosan Association for Public Affairs [FAPA] in support of democracy and human rights on Taiwan.

FAPA was established in California in 1982 by native Taiwanese from the United States, Canada, Latin America, Western Europe, and Japan. FAPA members come from diverse backgrounds and have differing views on many subjects, but they are united in support of the following three objectives:

To seek international support for the right of the Taiwanese people to determine the future status of Taiwan;

To protect and enhance the rights, interests and welfare of Taiwanese communities throughout the world, and

To promote human rights, freedom, and democracy for the people on Taiwan.

FAPA is deeply committed to working through legal channels and to achieving its objectives through peaceful means. It rejects terrorism and violence. In fact, antiterrorism and antiviolence are fundamental tenets of FAPA as it works to oppose martial law and to advance the cause of democracy on Taiwan.

FAPA conducts its work through local chapters around the world, coordinating activities through its headquarters in Washington, DC. Among the members of FAPA are people who have achieved distinction in the fields of education, business, law, religion, medicine, the arts, and government service. Last June, I met with several hundred members of the Taiwanese community of Chicago, many of whom are FAPA members; and I was highly impressed by the many contributions they are making to their adopted community and by the responsible approach they are taking to help their brothers and sisters on Taiwan.

The work of FAPA is primarily educational. This summer, for the third consecutive year, FAPA is sponsoring a series of youth conferences to discuss the situation on Taiwan. Speakers at these conferences have included overseas Taiwanese leaders, Members of Congress and their staff members, former U.S. Government officials, and church, business, and human rights representatives from all over America. FAPA has also sponsored visits to the United States by Taiwanese elected officials, journalists, church officials, and leaders of the new Taiwan Association for Human Rights. George Kerr, one of America's most distinguished Taiwan scholars and an old friend of mine, has called FAPA the "leading voice" among the many overseas Taiwanese organizations working on behalf of the right of the people on Taiwan to determine their own political future.

FAPA is anti-Communist and opposes the integration of Taiwan into the People's Republic of China by force, the threat of force or by any form of coercion. FAPA would also oppose any agreement between the government on Taiwan and the People's Republic of China that is not based on the will of the people on Taiwan, including the native Taiwanese majority.

FAPA applauds the progress that has been made by the native Taiwanese community on Taiwan, including the growth of native Taiwanese membership within the ruling Kuomintang [KMT] Party. Nevertheless, both the KMT and the Government are controlled by people of mainland Chinese origin; and formally constituted opposition parties are not permitted. As a result, FAPA works in support of efforts to create a pluralistic, Western-style democracy on Taiwan.

That is a long-term objective, however; and, as a result, most of FAPA's day-to-day work is directed at improving the human rights situation on Taiwan. In this connection, FAPA has pressed for a full investigation of the death 4 years ago of Professor Chen Wen-chen of Carnegie-Mellon University, who was found dead after interrogation by the police on Taiwan, and of the murders in 1980 of three members of the family of Lin Yi-hsiung, a prominent Taiwanese opposition leader. More recently, FAPA has worked in support of efforts to extradite, for trial in the United States, the Taiwanese officials charged with the murder last year of Henry Liu, a prominent member of the Chinese-American community in California.

I urge my colleagues and members of their staffs to get to know members of FAPA as I have. They are very willing, indeed eager, to tell their story and to share their democratic aspirations.●

THE ASSOCIATION OF JUNIOR LEAGUES

Mrs. HAWKINS. Mr. President, many of the 262 member leagues of the Association of Junior Leagues have taken an active part in promoting child safety in their communities. The association is an international volunteer organization with 252 leagues in the United States representing more than 160,000 individual members. Junior Leagues also are located in Canada, Mexico and Great Britain.

[Whereupon, at 1 p.m., the committee recessed, to reconvene at 10 a.m., Tuesday, May 14, 1985.]

INTERNATIONAL TERRORISM, INSURGENCY, AND DRUG TRAFFICKING: NARCOTIC TRAFFICKING, TERRORISM, AND POLITICAL INSURGENCY

TUESDAY, MAY 14, 1985

United States Senate,
Committee on the Judiciary,
and Committee on the Judiciary,
Washington, DC.

The committees met at 10:03 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Paul S. Trible, Jr., of the Committee on Foreign Relations and Hon. Jeremiah Denton of the Committee on the Judiciary jointly presiding.

Present: Senators Pressler, Trible, Pell, Biden, and Dodd—Committee on Foreign Relations; Senators Denton and Specter—Committee on the Judiciary.

Senator Trible. The joint session of the Judiciary Committee and the Senate Foreign Relations Committee will now come to order.

I am pleased to preside for the Senate Foreign Relations Committee in these joint sessions with the Committee on the Judiciary on the subject of international terrorism. I welcome my distinguished colleague, Senator Denton, to this hearing room, and I applaud his leadership in alerting his colleagues and the Nation to the growing danger of terrorism.

As we learned from yesterday's witnesses, modern terrorist acts are not isolated incidents, perpetrated by small, disaffected groups. Rather, modern terrorism is organized. It is growing. It is coordinated. And, increasingly, it is state supported.

Modern terrorism is a form of warfare.

The victims of terrorism in instance after instance are Western democracies. The sponsors of terrorist acts, in case after case, are clients of the Soviet Union or nations temporarily serving Soviet interests by fostering instability in strategic regions of the world.

Yesterday's testimony also underscored the fact that the United States is inadequately organized to respond to the terrorist challenge. That incapacity rewards terrorists for their bloody deeds. Three truck bombs in Beirut helped drive the United States from Lebanon and imposed massive geopolitical cost to this country.

Today the committees will examine an ominous threat—the linkages between terrorist networks and drug trafficking organizations. These ties are real and they are growing. Not only do they contribute to the increasing level of lawlessness in the world, they permit the proliferation of both terrorist groups and narcotics organizations.

As we will hear today, those relationships are symbiotic. Terrorists often provide traffickers protection. Traffickers provide terrorists a steady source of funds. Both activities contribute to political destabilization.

The situation in Colombia or the Middle East would outrage most Americans. In both regions, violent terror and drug trafficking are wed in an evil alliance.

The alliance of violence has spread across our borders. As Brian Jenkins of the Rand Corp. testified yesterday, local law enforcement agencies in Florida, Texas, and elsewhere now must arm themselves with weaponry unimaginable a decade ago.

Meeting this threat will take ingenuity and patience. As Senator Denton emphasized yesterday, the first step is to understand.

We are, therefore, very pleased to have two well-informed Senators with us today, Senator Hawkins and Senator D'Amato. Later, we will be pleased to have two administration officials, Mr. David Westrate, from the Drug Enforcement Administration, and Clyde Taylor, from the Department of State.

Senator Denton, do you have an opening statement?

Senator **Denton**. Yes, I do.

I am pleased that you are here today again, Senator Trible, and I'm delighted to see Senators Hawkins and D'Amato out there because, as I mentioned yesterday, among those working on this question, none is working harder than Paula Hawkins.

I know Senator D'Amato is deeply concerned about terrorism and has worked diligently on the problem.

I am pleased to see them and also our colleague from Pennsylvania, Senator Specter, with whom I have been privileged to work on a number of projects in different subcommittees. I know he will have much to offer.

I wish to thank again and commend Senators Thurmond and Lugar, the respective chairmen of the Committee on the Judiciary and the Committee on Foreign Relations, for their encouragement and participation in these hearings.

Both Senators Thurmond and Lugar attach tremendous importance, as I do, to these hearings to inform and educate this body, and hopefully the media will pass that education on to the public.

Our friend and colleague, Senator Leahy, summed up the purpose of these hearings yesterday when he said that we must know who the perpetrators are and how, when, and where they are going to attack.

We heard from a group of distinguished panelists yesterday, and I want to thank them for their participation. They represented some of the world's foremost authorities on the subject of terrorism, and they demonstrated that knowledge by fully responding to some very hard questions, and disclosing key answers.

All witnesses agreed that not only does terrorism damage us in the United States, it harms U.S. interests worldwide. We must assess and develop policy to confront it.

Prof. Ray Cline, of the Center for Strategic and International Studies at Georgetown University, stated unequivocally that Cuba, Syria, North Korea, Czechoslovakia, Bulgaria, and Vietnam consistently export terrorism where it benefits the Soviet Union. He said that we must learn to counter this threat. Terrorism serves the purpose of governments that are enemies of democracy, governments that believe democracy must be replaced by totalitarianism.

We speculated—and this is a key point which I hope Senator Hawkins will address in her statement—about the ability of our system, including media and government, to understand and to communicate that understanding to our people, make them aware of the threats to our interests, permit us to develop the will of the American people to persevere in both low intensity and high intensity conflict, if conflict is necessary or unavoidable.

Dr. Cline, a former Deputy Director of CIA, noted that our enemies recognize and exploit our seeming lack of unity and commitment in confrontational situations. From the Tet offensive to the rescue mission in Iran, to the removal of our Marines from Lebanon, we have developed a psychological vulnerability to propaganda, leading to disunity and defeatism.

All our witnesses strongly agree that before we have a policy, we must first understand the threat to our interests, and then establish our goals and objectives and develop a will to win in carrying out policies.

Our objective is peace, peace with justice. In a world of nations, where some are interested in totalitarian world conquest, the survival of the present degree of peace with justice as well as the hope for increasing the prospects for those conditions, depend, in part, upon a credible will to defend our way of life, when necessary, and to support, as practicable, short of fighting, the existence of peace with justice.

We must at least have the will to support, by appropriate means, the struggle of others to preserve or regain their freedoms.

Perhaps we were ambitious in the sense that the United States may, by historians, be found to have borne a disproportionate burden in Korea and Vietnam. But listen to John F. Kennedy and think about where we are today. In his inaugural speech, he said:

> Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, to assure the survival and success of liberty.

In that immense but justifiable confrontation over the intermediate range ballistic missiles in Cuba, he said, "The cost of freedom is always high, but Americans have always paid it."

His theses are becoming questionable.

Mr. Brian Jenkins of the Rand Corp. at Santa Monica, CA, noted the decline in the number of terrorist incidents in the last 2 years, but pointed out that they are getting bloodier. He said that terrorism is becoming more institutionalized and more systemized.

Mr. Jenkins emphasized the fact that we must take bold steps to control the problem, but warned that it would not be eradicated in the near future.

Mr. Nathan Adams, senior Washington editor of the Reader's Digest, reminded us that Iran considers itself at war with the United States. He said that the future of Iran is fragile and could fall under the control of the Soviet Union. Mr. Adams indicated that the United States has taken a naive attitude toward terrorism, and refuses to recognize that the Soviet Union uses it as an instrument to carry out their foreign policy.

Today we delve into an even more sinister area the subject of narcotics-fueled terrorism.

We have heard in past hearings how various terrorist groups have provided protection for drug traffickers to ply their trade. Now we are hearing that governments are using drugs to finance guerrilla and terrorist movements in various parts of the world.

We are fortunate to have as a witness on our first panel Mr. David Westrate, Deputy Assistant Administrator of the DEA.

Before we introduce our panel, we have the good fortune to have two very concerned and informed Senators before us. I am eager to hear what they have to say.

The thrust of our examination today will involve or be related to the involvement of illegal drugs with terrorism. I think we can show not only a tie between drugs and terrorism, but an undeniable nexus of government-supported drug trafficking and terrorism in the case of some countries, specifically Cuba, Nicaragua, Bulgaria, and Syria.

Thank you.

Senator TRIBLE. Senator Specter.

Senator SPECTER. Thank you very much, Mr. Chairman.

Senator TRIBLE. You are most welcome.

Senator SPECTER. I am delighted to participate in this joint hearing between the Foreign Relations Committee and the Judiciary Committee. I regret that I could not be present yesterday, but I am glad to participate with you today.

Senator DENTON. Excuse me, Senator Specter.

You are testifying as a member of the Judiciary Committee, is that correct?

Sentor SPECTER. Well, I am participating in the hearing as a member of the Judiciary Committee.

Senator DENTON. Right.

Well, I think that Senator Trible, if I have it right, is chairman for the Foreign Relations Committee, as Senator Lugar was yesterday, and I am representing Senator Thurmond as chairman of Judiciary, and I am glad to have you aboard.

Senator SPECTER. Well, thank you very much, Senator Denton.

Senator TRIBLE. You are doubly welcomed, Senator Specter.

Senator SPECTER. Well, it is nice to have two introductions.

I believe that this is an enormously important subject, and I am hopeful that from this hearing and other hearings, we may be able to fashion a legislative program against terrorism which is long overdue. But it is one that we cannot rush to judgment on because the subject is so complex.

Last year, Senator Denton and I collaborated on legislation and hearings in the Judiciary Subcommittee, urging a renovation, a change of the Vienna convention, which would alter diplomatic immunity. That proposal was made in the face of the brutal murder of the British policewoman by the Libyans in England, and a followup piece of legislation which would call for criminal prosecutions in the United States for any diplomat who used a firearm. Certainly that is not within the ambit of what diplomatic immunity was intended to protect.

Those are two initiatives which I hope we can move ahead on.

In the wake of that issue, in the Foreign Operations Subcommittee, Secretary of State Shultz was asked about a termination of trade with Libya, a policy which he said that he would endorse. Since that hearing in the Foreign Operations Subcommittee, legislation has been introduced which would end trade with Libya.

It seems to this Senator that, at a very minimum, we should not be trading with Libya, given Libya's penchant for international terrorism and international crime. This is a bill which may be appropriate for an amendment in this week's proceedings on the foreign aid bill.

Senator DENTON. If the Senator would yield, that came up a number of times yesterday, and I was surprised to hear the degree to which not only the United States but such countries as South Korea and others have important projects in Libya to the economic advantage of that country.

Senator SPECTER. It seems to me that this is the threshold sanction which ought to be taken.

Secretary of State Shultz said in testimony before the Foreign Operations Subcommittee that there was an issue as to whether the executive branch, the President, had authority to do that. This is why I introduced the legislation and have been pressing for a hearing on it. I intend to bring it to the floor at the earliest opportunity, because that would be one way of showing that we mean business.

I think that is the minimal kind of force we ought to be using with Libya.

There are a couple of other suggestions that I would like to refer to very briefly. One is a sense of the Senate resolution which would define terrorism as an international crime, so that a terrorist could be prosecuted wherever he was found. This is an analogy to the crime of piracy.

Customarily, a crime is prosecutable only in the jurisdiction where the offense was committed. Piracy has been an exception. It is my judgment that terrorism ought to be a similar exception, that it ought to be defined as an international crime so that you can prosecute a terrorist wherever you find the terrorist.

There is the crime of torture, which has some similar characteristics to both terrorism and piracy, which may be definable as an international crime as well. But there is a sense of the Senate resolution which would call for our efforts to define it in an international setting.

A final legislative proposal that I would like to speak about briefly today is legislation which would make it a crime against the laws of the United States for anyone to attack a U.S. citizen, diplomat, or agent of the U.S. Government anywhere in the world. It is consistent with legal principles to have that extraterritorial jurisdiction. As a government, we have the authority to define such conduct as a crime against the laws of the United States.

There is a celebrated case, called *Kerr* v. *Illinois,* handed down by the Supreme Court of the United States in 1886, which has a very significant amount of wisdom that we have not focused on enough. That was a case where Illinois went to Peru and brought back a man named Kerr, who was guilty, charged with fraud in Illinois. He was later prosecuted and convicted, and the case went to the Supreme Court of the United States. The Supreme Court of the United States said that Illinois had the right to bring back Kerr from Peru, even if it were a matter of abduction.

That case has been upheld as recently as 1950 by Justice Hugo Black, a noted civil libertarian, and the principle has been upheld by circuit courts of appeals in the past few years.

This is a principle similar to the *Eichmann* case, where Eichmann was brought from Argentina, however without the permission of Argentina. That is a difference between Kerr and Eichmann. But in our quest for guideposts in how to deal with international terrorism, it seems to me that we ought to be looking at ways to prosecute terrorists once we can put our hands on them.

We have terrorist crimes being committed against citizens of the United States worldwide. The incident of two American citizens being murdered in cold blood in Tehran when the airplane was hijacked is one which is still very much on many of our minds. We are waiting to see what action Iran takes on that matter.

But if we could put our hands on those culprits, I think it would be appropriate to fashion a system of laws to try those people in courts of the United States.

The prevention of international terrorism is a very important issue. It is very much in the news, with a report about administration authorization of strike forces against terrorists. This report brings up very fundamental points as to whether it is appropriate, under our system of laws, for anyone to be the judge, jury, and executioner, that is, to move in a unilateral way, having made a conclusion about somebody being a terrorist.

It is much more consistent, in my judgment, with our approach to laws, to identify an individual, and where there is a prima facie case to take the person into custody and to prosecute him in a U.S. court, and to have that jurisdiction under the principles of a case like *Kerr* v. *Illinois*.

Mr. Chairman, I thank you for your indulgence in permitting me to make this introductory comment. I do so in order to touch on some points as to where I would like to see a legislative program directed. It is certainly a matter of enormous importance, that we structure our judicial system and our foreign policy to deal with terrorism and drugs.

It is my hope that we will take a much closer look at foreign aid, which the United States is extending to a great many countries, and which permit the trafficking in drugs.

Again, when Secretary of State Shultz was questioned on this subject, his point was that improvements have been made, but among the many countries which traffic in drugs, which receive foreign aid, it seems to me that we ought to make an example of some and ought to terminate our foreign aid to show that we mean business.

When we talk about U.S. dollars by way of foreign aid, it is a minimal sanction to impose. When we talk about our trade, a la Libya, that is a minimal sanction. We have to get tougher and structure a way that we can acquire jurisdiction over these terrorists, and prosecute, convict, and punish them in accordance with our principles of justice.

Mr. Chairman, I thank you.

Senator **Denton**. Senator Specter, permit me to congratulate you and acknowlege and explain, perhaps, the value of your comments. In carrying forward some recommendations by the administration, I, as chairman of the Security and Terrorism Subcommittee, did propose some remedial legislation, including implementing legislation for the U.N. convention against the hostage-taking and the Montreal convention against aircraft sabotage, making those offenses crimes which would give us some extraterritorial jurisdiction.

So, rather than just getting agreement among some nations, I think your approach is superior. I hope we adopt it.

As you probably know, on the other issue of making it an international crime, we have not yet made terrorism a Federal crime. We are trying to get that through. That means if a murder of a terroristic nature takes place in the State of Texas, you are left with the sheriffs and the Texas Rangers and so on to chase that guy to the borders of Texas, and the FBI is without jurisdiction.

Senator **Trible**. Let me welcome Senators Hawkins and D'Amato, and let me thank you for your patience in listening so attentively to these opening statements.

I would like to applaud your leadership in fighting the drug activities that threaten the life of this Nation.

We will now receive a statement for the record from Senator McConnell.

[The statement referred to follows:]

Opening Statement of Hon. Mitch McConnell, a U.S. Senator From Kentucky

Senator **McConnell**. All nations are deeply concerned about the increasing willingness of narcotics traffickers to resort to terrorism to obstruct efforts to eradicate crops and control trafficking. The recent series of murders in Mexico, including one of our Drug Enforcement Agency agents, and the assassination of Justice Minister Lara in Colombia are grim examples of the extremes drug traffickers will go to in order to sustain and protect their trade. I would hope these incidents would draw attention to the problem and strengthen the resolve of all nations to support, upgrade and expand their efforts to eliminate narcotics production and trafficking.

I am particularly interested in the current situation in Peru. I hope some of our witnesses might discuss the coca production there and the possible connection or role Sendero Luminosa may be playing in extorting protection money from growers. Is narcotics money feeding a dangerous insurgency? Given the fairly large Soviet presence in Peru, I am also interested in what role they are playing in the narcotics trafficking problem. I somehow doubt they are supporting eradication programs.

Thank you, Mr. Chairman.

Senator **Denton**. Without further ado, Senator Hawkins and Senator D'Amato.

STATEMENT OF HON. PAULA HAWKINS, A U.S. SENATOR FROM FLORIDA

Senator **Hawkins**. Thank you, Senator Trible.

I congratulate the Foreign Relations Committee and the Judiciary Committee for holding these first ever hearings on drugs and terrorism.

I trust they will convince those people who to this day remain ignorant of the connection between the vile and evil business of narcotics trafficking and the cruel and barbaric horrors of international terrorism.

Over the last 4 years, I have strived, along with Senator Denton, Senator D'Amato, and my colleagues to compile an unimpeachable record of the existence of what has come to be called narco-terrorism.

In August 1984, Judge Ferdinando Imposimato testified in my Subcommittee on Alcoholism and Drug Abuse regarding Bekir Celnk, a drug trafficker who helped finance the attempted assassination of the Pope. The judge told us, and I will use his quote, "This gentleman, Bekir Celnk, has already spent years in the Bulgarian shelter where he is afforded protection by the authorities of that country."

On display at that hearing in August was a frightening collection of firearms. Must of it was confiscated from Khun Sah, the notorious Thai drug warlord. DEA Director Francis Mullen explained the need for all those firearms by saying that the narco-terrorists quite simply have their own armies.

"The Shan United Army and the Burmese Communist Party," he said:

> Are well funded through their trafficking activities, and the original goals of these groups were, in the case of the Shan United Army, to set up an independent Shan State in parts of Burma and in parts of Thailand. The Burmese Communist Party has as a goal to take over the Government of Burma and to set up a communist state there.

In the Western Hemisphere, there is no denying the existence of narco-terrorism.

In Colombia, the notorious drug kingpin, Carlos Lehder, has been so bold as to say on our television, "Cocaine and marijuana have become an arm of struggle against American imperialism. He who plants coca denounces imperialism." Our former Ambassador to Colombia, Louis Tambs, has said Lehder's behavior reminds him of Nazi Germany when the criminals took over.

In addition to Lehder, we know that the M-19 and the FARC guerrilla factions in Colombia and the Shining Path in Peru are all heavily financed by drug sales.

This involvement of insurgent organizations in drug trafficking is troubling enough. But of more serious concern is evidence now emerging of government-sponsored narco-terrorism through the use of government personnel, government facilities, military bases, territorial waters, and air space to aid in drug smuggling in this hemisphere. The culprits: Cuba and the Sandinista Government in Nicaragua.

The plot: To traffic drugs, primarily cocaine from South America, through Nicaragua. Its code-name, according to a Nicaraguan diplomatic defector who has testified before the Alcoholism and Drug Abuse Subcommittee: "The Morality of Death." Their goal is twofold: First, raise the hard cash they need for the revolution; and, second, destroy our American youth and cripple American society by flooding the United States with drugs.

On April 19, in a hearing before the Senate Subcommittee on Children, Family, Drugs, and Alcoholism, we talked with the men who were directly involved, the men who planned this operation and the men who carried it out. We talked with James Herring, a

Florida businessman, turned smuggler, turned drug dealer, turned Government informant. And we heard from a former Interpol fugitive, code-named "Dekker," Europe's most prominent hashish dealer. These men worked along with fugitive financier, Robert Vesco and Frederico Vaughan, a high-ranking member of the Nicaraguan Interior Ministry.

Together, they orchestrated Nicaragua's first venture into the cocaine smuggling business, the most devilish and deadly business of all.

Herring talked of buying hard-to-find items for Dekker, among others. Eventually Dekker introduced him to "Angelo," who is Robert Vesco's right-hand man. Herring testified that he worked his way into Vesco's confidence, and he said:

> Eventually there came a point in time when Angelo came to me and asked me to go to Managua, Nicaragua. I was to do this to help coordinate with the Nicaraguan Government a cocaine operation.

Though he was carrying drugs and guns, Herring testified, at the airport in Managua he was greeted by the commandante, who was helping in the operation, various soldiers and intelligence people. They ushered him through. "We never had to go through customs," he said. "We would take the trunk—which was picked up by soldiers, it was escorted away in a military vehicle, taken to the commandante's house, and stored."

There was no doubt, Herring testified, that this was a Government-controlled operation and not just the work of some corrupt Government officials.

The operation was designed, Herring said, "to gain dollars for the economy of Nicaragua."

When asked what the narcotics profits would be used for, Herring said, "I was told that the profits would be entered into Nicaragua's economy to help their cause."

Dekker tells a similar story. In the past, he had helped Vesco smuggle Caterpillar equipment to Cuba and was asked by Angelo to set up European markets for the Nicaraguan cocaine.

Up until now, the Nicaraguans have dismissed all we have revealed. "All that drug nonsense," they called it. But now there can be no doubt that the accusations are true. The "morality of death" is a stark, ominous reality. It is upon us, and neither we nor the Nicaraguans can escape this truth any longer.

For too long we have been fooling ourselves here in the United States. We live within the best protected borders on the Earth. This security has led over the years to some dangerous misconceptions about terrorism. The most serious of these is the portrait of the financially poor, ideologically pure terrorist. This is nonsense. Terrorism has become big business. Terrorism must be financed.

It is working like a charm. The drug merchants apparently have it all mapped out: a two-pronged strategy which hits us internally and externally. Attack and remove the ties that bind our society through the sale of drugs and use the profits to fill the coffers of those who would seek to destroy freedom throughout the world.

I thank you.

[Senator Hawkins' prepared statement follows:]

PREPARED STATEMENT OF SENATOR HAWKINS

I congratulate the Foreign Relations and Judiciary Committees for holding these first ever joint hearings on drugs and terrorism. I trust they will convince those people who to this day either remain or choose to remain ignorant of the connection between the vile and evil business of narcotics trafficking and the cruel and barbaric horrors of international terrorism.

Over the last four years I have strived, along with Senator Denton and others, to compile an unimpeachable record of the existence of what has come to be called "narco-terrorism."

But, despite the hearings, despite the documents, despite first hand testimony, cynics in the media and elsewhere deny the existance of this connection.

Our hearings have revealed that these Siamese twins have parents all over the world. In August, 1984, Judge Ferdinando Imposimato testified before my Subcommittee on Alcoholism and Drug Abuse regarding Bekir Celnk, a drug trafficker who helped finance the attempted assassination of the Pope. The Judge told us, "This Gentleman, Bekir Celnk has already spent years in the Bulgarian shelter where he is afforded protection by the authorities of that country."

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In this hemisphere, there is no denying the existence of narco-terrorism.

In Colombia, the nortorious drug kingpin, Carlos Lehder, has been so bold as to say on television, "Cocaine and marijuana have become an arm of struggle against American imperialism. He who plants coca denounces imperialism." Our former Ambassador to Columbia, Louis Tambs, has said Lehder's behavior reminds him of Nazi Germany, when the criminals took over.

In addition to Lehder, we know that the M-19 and the FARC guerilla factions in Colombia and the Shining Path, in Peru are all heavily financed by drug sales.

This involvement of insurgent organizations in drug trafficking is troubling enough. But of more serious concern is evidence now emerging of government sponsored narco-terrorism though the use of government personnel, and government facilities, including military bases, territorial waters and airspace to aid in drug smuggling. The culprits are Cuba and the Sandinista government in Nicaragua.

This evil first came to light at a hearing of the Senate Subcommittee on Alcoholism and Drug Abuse. At that hearing we heard from Antonio Farach, a defector from the Sandinista diplomatic corps who told about a plot hatched between Umberto Ortega, Defense Minister of Nicaragua and Raul Castro, the Defense Minister of Cuba. Both are the brothers of their nations' dictators.

The plot was to traffic drugs, primarily cocaine, from South America through Nicaragua. Their goal is two-fold: first, raise the hard cash they need for the revolution, and second, destroy American youth and cripple American society, by flooding the U.S. with drugs. Farach testified that the plot was called, aptly enough, "The Morality of Death." The justification, he said, was that it was all right to raise money from genocide as long as you were killing and maiming the children of your political enemy.

Antonio Farach is a brave man, and his story was believed—by some. In Florida, we have known for years that Castro is trying to destroy our way of life. So this news, while shocking was not surprising. We have come to expect this kind of bahavior. Many others in the nations, however, were skeptical. Antonio Farach could only tell us so much from his diplomatic post. Doubting Thomases criticized him for passing on second hand information.

But now the truth is fully and undeniably known. We now have the inside story because we have heard it first hand. On April 19, in a hearing before the Senate Subcommittee on Children, Family, Drugs and Alcoholism, we talked with the men who were directly involved—the men who planned this operation, and the men who carried it out.

We talked with James Herring, a Florida businessman, turned smuggler, turned drug dealer, turned government informant. And we heard from a former INTERPOL fugitive, code-named "Dekker," Europe's most prominent hashish dealer. These men worked along with fugitive financier Robert Vesco and Frederico Vaughan, a high ranking member of the Nicaraguan Interior Ministry. Together, they orchestrated Nicaragua's first venture into the cocaine smuggling business, the most devilish and deadly business of all.

Herring talked of buying "hard-to-find items" for Dekker, among others. Eventually, Dekker introduced him to "Angelo," Robert Vesco's right-hand man. Herring testified that he worked his way into Vesco's confidence and he said, "Eventually there came a point in time when Angelo came to me and asked me to go to Managua, Nicaragua. I was to do this to help coordinate with the Nicaraguan government a cocaine operation."

Herring told the Subcommittee that, along with Vaughan and Angelo, he tested government airstrips for their feasibility as cocaine smuggling sights, and that he was taken to a government owned rice plantation and asked to construct a live-in cocaine lab there. Herring testified, "There was no attempt at any time to disguise the reason I was there nor the reason Angelo was there. It was clearly an attempt to set up a cocaine operation, and there were armed guards around at all times, giving us security; we were treated very well, and anything we wanted we got."

Herring told the Subcommittee that on a subsequent trip to Nicaragua, he travelled heavily laden with cocain processing chemicals and equipment, and also with high powered firearms. The guns, he said were "more or less gifts to these particular dignitaries" who were helping with the operation.

Though he was carrying drugs, and guns, Herring testified, at the airport in Managua, "we were greeted by the comandante (who was helping in the operation), various soldiers and intelligence people—they ushered us though, we never had to go through Customs. We would take the trunk—it was picked up by soldiers, it was escorted away in a military vehicle, taken to the comandante's house and stored."

There was no doubt, Herring testified, that this was a government controlled operation and not just the work of some corrupt government officials. The operation was designed Herring said, "to gain dollars for the economy of Nicaragua." When asked what the narcotics profits would be used for, Herring said, "I was told that they would be entered into Nicaragua's economy to help their cause."

At one time, Herring said, he was introduced to Nicaragua's Interior Minister Thomas Borge. Herring said, Frederico Vaughan, "introduced me and told Thomas Borge that I was down there to help them with 'their project.' He shook my hand and said thank you, we appreciate your help."

Dekker tells a similar story. In the past he had helped Vesco smuggle Caterpillar equipment to Cuba and was asked by Angelo to set up European markets for the Nicaraguan cocaine.

When asked whether the profits were going to help the Nicaraguan government, Dekker said, "Oh, definitely; they can't help being political, so we had a long discussion about their government and what they were doing, and their major point of saying why they would go heavily in the drug trade was that the U.S. government and most European governments were cutting their foreign aid to minimal amounts." Dekker said the "total government" of Nicaragua was involved in this plot, "the government provided everything," he said.

Up until now, the Nicaraguans have dismissed all we have revealed. "All that drug nonsense," they called it. But now there can be no doubt that the accusations are true. The "Morality of Death" is a stark, ominous reality. It is upon us, and neither we, nor the Nicaraguans, can escape this truth any longer.

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It is working like a charm. The drug merchants apparently have it all mapped out; a two-pronged strategy which hits us internally and externally. Attach and remove the ties that bind our society through the sale of drugs, and use the profits to fill the coffers of those who would seek to destroy freedom throughout the world.

Senator TRIBLE. Thank you, Senator Hawkins, for a very powerful statement.

Senator D'Amato.

STATEMENT OF HON. ALFONSE D'AMATO, A U.S. SENATOR FROM NEW YORK

Senator D'AMATO. Thank you, Mr. Chairman.

I am pleased to have the opportunity to be here today and also to testify alongside Senator Hawkins, who has courageously exposed so many of the links that exist among terrorists, Communists, and drug trafficking groups.

Senator Hawkins is truly one of the Senate's most effective leaders in the war on drugs.

Mr. Chairman, the American public must be shown in the clearest way possible that drug trafficking does not only cause crime. It also constitutes a direct threat to our national security.

Senator Denton and I have been working together to make sure that the Drug Enforcement Administration [DEA] is as strong as it needs to be to meet that threat.

Last week, we succeeded in pursuading the Senate Judiciary Committee to approve unanimously a $40 million increase in DEA's authorization level.

As a member of the Appropriations Committee, I will be working to make sure that DEA receives the full amount of that increase.

One simple fact makes the case for our initiative. Our lead drug enforcement agency, DEA, has fewer than 200 agents—scattered around the globe in 41 foreign countries, and that simply is not enough, it is insufficient—gathering intelligence on drug traffickers engaged in terrorism. Where we have agents, we have too few, and there are too many countries where we have no agents at all.

The result is that our ability to combat the evil alliance of drugs and terrorism is sadly limited. I can illustrate the scope of the problem before us by referring to one particularly horrendous example of the link between narcotics and terrorism.

Until very recently, the DEA was confident it could establish that the Government of Bulgaria was engaging in narcotics trafficking through the involvement of its official export/import agency, KINTEX. There is evidence that KINTEX is part of a Warsaw Pact conspiracy to undermine Western democracies. This evidence indicates that Bulgaria has operated a guns for drugs smuggling network. Guns move through Bulgaria to the Middle East, while heroin moves westward, to Europe and the United States.

KINTEX representatives, DEA sources have revealed, act as brokers who establish exclusive arrangements with Turkish, Syrian, Iranian, Jordanian, and Lebanese smugglers that they allow to operate in Bulgaria. Under such an arrangement, an arms dealer sells weapons to KINTEX. These weapons are resold to drug dealers in the Middle East, which forward them to the Middle East terrorists.

The terrorists pay for the guns with heroin. The drug dealers pass the heroin on to the Bulgarians, who sell the heroin to other drug dealers in Western Europe.

Bulgaria gains the following from the arrangement: Hard currency, Western currency, which it is deeply in need of; arms for Middle East terrorists in furtherance of Communist political goals;

and intelligence gathered from the gun and drug trafficking in Europe and the Middle East. It has an incredible network.

It is this same guns for drugs network that moved Mehmet Ali Agca in the plot, the attempted assassination, to kill Pope John Paul II. It is the same organization, the same network.

Now we are hearing from the DEA that the Bulgarians may actually be starting to cooperate in drug investigations. I would suggest that if they believe that, then I would believe that the Moon, indeed, is made of green cheese.

The DEA has no recent evidence of KINTEX's involvement in drug trafficking, it says, and I understand why. It simply does not have the manpower necessary to undertake these investigations.

That raises a number of interesting questions.

Given the clear advantages of the guns for drugs network for the Bulgarians, why should they disengage from it? Some would suggest that it is a temporary disengagement, if any at all, until the trials with respect to the attempted assassination of Pope John Paul II are concluded.

Why the change of heart if, indeed, there is one? Since heroin is still being smuggled through Eastern Europe, is there a new channel or channels? Is there a new "Red Connection" opening up?

If there had been no end to KINTEX's involvement in drug trafficking, why don't we have more recent information?

Mr. Chairman, we need answers to these and many other questions in our search for a way to stem the flood of drugs pouring into our country and to combat international terrorism.

This hearing, and reinforcing DEA's intelligence-gathering ability, are essential elements in that most important search.

Mr. Chairman, I thank you for the opportunity of making this statement and for your most important undertaking in connection with this area.

Senator TRIBLE. Senator D'Amato, thank you.

I think Senator Denton may have a question for you if you would have time to remain.

Senator D'AMATO. Certainly.

Senator TRIBLE. Senator Denton.

Senator DENTON. I have no question, Senator D'Amato, just a confirmation of our parallel thinking.

You are working from the appropriations end and I from the authorization end. On our Subcommittee on Security and Terrorism, we do have bipartisan support. Senators Biden and Leahy are in agreement with you and me and others that the Drug Enforcement Administration needs augmentation.

You mentioned the inability to pin the tail on the KINTEX donkey. In that respect, we have only 200 DEA agents working overseas right now.

Senator D'AMATO. In 41 nations.

Senator DENTON. Yes; and we could use 200 agents in Mexico alone, and probably lose half of them. We are inadequately addressing a tremendous problem. I rejoice that men like you and the others here at this table are involved. But we still have a minority in both Houses who understand the force and trend that this drug-terrorism wedding represents. We have our work cut out for us. We have our work cut out to extend the knowledge that we have, to the public.

Senator Hawkins' prepared statement addressed something which supported what I said yesterday. Not all the media are at fault in this. Many in the media are doing a very good job. But, she ~~says,~~ generally speaking, despite the hearings, despite the documents, despite firsthand testimony, cynics in the media and elsewhere deny the existence of this connection.

The same thing is true with the terrorism subject in general, because it does not go along with their agenda or their visualization of the issues. I hope we can fix that.

Senator D'AMATO. Senator Denton, sadly and reluctantly, if I might be permitted to offer a comment, I have to suggest—and it is with reluctance, but I am going to do it—that the administration has been totally inept, inept, and unwilling to admit the seriousness of the situation. It claims it is winning the drug war. Well, it is not winning the drug war. And until the State Department begins to come forward and utilize its resources in spelling out the information that we pick up piecemeal, as a result of our activities, the American public will be denied the full implications of what has been taking place.

Let me suggest to you that, indeed, the kinds of information that we come across must be made known to the American public so that we can galvanize all of our institutions, along with making the case for additional resources for DEA, and Customs, and additional prosecutors, and educational advances in the war against drugs. We are losing that war. And we are losing domestic tranquility in this Nation because so much of the crime that we face throughout our communities is powered as a result of the drug epidemic. This is not to mention our young people, who are victimized.

When are we going to wake up?

I am not going to sit idly by. I did not get elected to come to the Senate of the United States to be a part of the team that closes its eyes to what is taking place. It is an absolute scandal.

That picture is never going to be spelled out whether Senator Denton, Senator Trible, Senator D'Amato, Senator Specter or Senator Hawkins cries out. We can all cry out about it. But it is going to take some real initiative from the administration, from the State Department, from the Defense Department, and, yes, from the other areas. Our Attorney General is going to have to recognize this. We just cannot talk about how we are making more arrests than ever. It does not mean anything. It is like shoveling against the tide, the manner in which we are operating.

We have not committed the kinds of resources that are necessary and the spirit that is necessary to win this battle.

But I salute you for your efforts. I think that, together, we have to call them the way we see them, to try to galvanize some real action and movement in this area.

I thank the committee chairman for indulging me and allowing me to present my thoughts.

Senator DENTON. I have to respond to that, Senator D'Amato.

You may have better insight than I do on this. I certainly respect it. However, the same charge came up yesterday with respect to terrorism, that the administration is not articulating the problem.

You might have been present in a Republican caucus when the point was made that if we wanted to get aid to those in Nicaragua who are trying to regain the freedoms which the Sandinistas promised them, we should at least be permitted to give them $14 million worth of humanitarian aid. Then about four Senators rose to their feet and said, yes, the President is not talking about this enough. He has to get on television. Then one of the representatives of the administration stood up and said now wait a minute. He said, "I can't handle that." The President has made four or five major speeches on this, give me another subject on which he has done that.

He said that the President only got one of those speeches outside the Beltway.

Yesterday, we had some fairly significant hearings which one newspaper, the Washington Times called rare and so on, and went into considerable detail about. The other newspaper, which has considerably more circulation, decided not to say a word about it.

So we have been boycotted, to a great degree, on terrorism and its wedding with drugs in terms of that which is understood and that which, in my view, should be transmitted in the national interest to the public.

Senator Specter.

Senator **Specter**. Thank you very much, Mr. Chairman.

Senator D'Amato, I commend you on your activities in the terrorism field and the drug field, and Senator Hawkins as well.

Senator **D'Amato**. Thank you.

Senator **Specter**. I made my congratulations to her as she was moving down the hall. She was on her way for a commitment out of town.

I just have one question for you.

You serve on the Foreign Operations Subcommittee of Appropriations with me and others. I would be interested in your views on the foreign aid issue. I agree with you that we cannot take credit for winning a war on drugs. I do not believe that that is a war which is being won either. I think you are correct on that.

When we take a look at a number of countries—Bolivia, Burma, Colombia, Peru, Thailand, and Mexico—which are receiving substantial foreign aid, we see they are also the source of substantial drug trafficking. I would be interested in your views today, and we will pursue this on the appropriate subcommittee. But what are your views? Do you share my thought that we ought to make an example somewhere along the line and withhold foreign aid to such countries which are not stopping the flow of drugs which come and poison users in our country?

Senator **D'Amato**. Senator Specter, I share your view completely. Let me suggest to you that last evening, when I addressed the graduates of Pace University—there were about 13,000 people at Madison Square Garden—as a commencement speaker, I spoke on this subject, and the fact that we have lost domestic tranquility, and the fact that so much of the problem is powered, 50 percent of the violent crime, directly or indirectly, as a result of drugs.

In that address, I said that it is about time the United States began to use the tools that it has at its disposal and cut off aid to those of our so-called allies who are not undertaking the war with us, the battle with us.

I have to tell you, the response of the young people at that hall was overwhelming. They supported it. They applauded enthusiastically.

The American people know, and these are the people who are closest to it, the young people. Foreign aid may not be enough if we have to take other sanctions against those countries.

Now we recognize that there are some countries beyond our ability to influence with foreign aid, trade, et cetera, like Iran, and others. But certainly with those who are our allies, who receive substantial assistance and trade and trade credits, et cetera, we have to let them know that we are not going to sit by and tolerate this.

So I certainly look forward to working with you in attempting to move the State Department and others to recognize that we just cannot talk about it but we have to undertake some action to deal with this problem.

Senator SPECTER. Thank you very much, Senaor D'Amato, and thank you, Mr. Chairman.

Senator DENTON. Senator D'Amato, there is one more point that I should have made.

Aside from the fact that the President's wife is doing something in this field——

Senator D'AMATO. I was going to say, Senator Denton, that aside from Mrs. Reagan—and she is really attempting to do something—I don't see anybody else doing it.

Sentor DENTON. Well, the point I was going to make is not that, but it is this. Although we are a rich nation and perhaps the wealthiest in the world—I am sure we are—we see ourselves as strapped. We are finding it difficult to apportion and allocate our funds in the Federal Government appropriately to suit ourselves.

We have a tremendous, growing national debt. We have just decided so far, in spite of the recommendations of the Armed Services Committee, against appropriating 3 percent more for our defenses.

I heard testimony from a man yesterday, very schooled in international affairs, who is very concerned about the ability of the Soviet Union to move into the Mideast, where we have a vital interest in access to oil. I can tell you that that has been a concern of mine since before I came to this body, and that when we cut our effort to play catchup ball with the Soviet Union we are yielding to a vulnerability that is even more immediate than the vulnerability to the disturbance of the domestic tranquility in drugs.

I heard a television program yesterday with some academics saying that we ought to take much more of our military and devote them to drug interdiction.

Well, I had said a significant part in modifying the posse comitatus law by which we got the Navy involved, radar-wise, with detections of drug smugglers. But I can tell you also, on the other hand, that it does detract from what the services can do in a field in which they are already over-stretched.

We have had General Rogers, the Supreme Allied Commander in Europe, tell us that if the NATO nations themselves could be persuaded to ante up 3 percent more per year for their defenses, he soon would be able, without exceeding the nuclear threshold, to hold off the USSR conventionally, which would represent that kind of deterrence, against that kind of move.

But he said in the meantime they can walk to the Channel in a matter of weeks.

Well, I happen to know he is telling the truth. That was my life. I dealt with those men a great deal. I know that the man is telling the truth.

Here, we just cut our own defense in the face of exhorting our allies to spend more.

So, it is a complex problem. I agree with you, or I would not be here with you on this. I think that we should give more proportionately to drug fighting. But I also believe that we should remember that our principal function here is to provide for the common defense. That does not just mean the physical security of the United States. It means the defense of our interests around the world which constitute our hopes for the survival of this way of life which has been passed on to us with great sacrifice from our forebears.

It is a tough problem, Al, I think that we should have taken a longer look than we did in deciding to wipe out a Defense increase. When we get to the House, we are liable to find even less support for an appropriation for defense.

We are in a situation—I quoted John Kennedy—in which we are spending half as much, proportionately, as we spent in his day on defense.

Now who among us would say that today we have a lesser threat against our interests worldwide? Certainly not I.

I wish we had taken more time, and I could not resist the opportunity to make that point.

Senator D'AMATO. I share your concern.

Senator TRIBLE. Thank you.

Senator Pressler.

Senator PRESSLER. I want to commend my colleague for his excellent work.

I read with interest Senator Hawkins' statement that in Colombia, a drug leader, Carlos Lehder, has been so bold as to say on television that cocaine and marijuana have become an arm of the struggle against American imperialism. "He who plants coca denounces imperialism."

This leads me to a question. Do you feel that this is an organized effort—that those who would advocate insurgency and who are opposed to the United States or to the West have taken it as almost justification to grow drugs and to distribute them? Is there an international organization? Is this their theory? Is this their line of thinking?

Senator D'AMATO. Senator Pressler, the Bulgarians have been able to accomplish three of their objectives—to expand tremendously their intelligence-gathering capabilities by the use of these various groups. Of course, you have to understand that the Bulgarians are somewhat unique in that they are almost an extension, their secret service is literally an extension of the KGB. That has been clearly established. If you talk to anyone, whether they be the CIA or people who are knowledgeable in this area, they will concede to you that that is the case.

So, their intelligence capabilities have been enhanced.

Second, they have been able to earn large sums of hard cash, hard currency, which they need.

Third, they have become intimately involved in providing the weapons, et cetera, for many of the terrorist groups and organizations that operate in the Middle East and elsewhere.

So there are three objectives, none of which the Soviets are sorry to see take place, all of which work to our detriment.

If we were to look at some of the areas closer to home, our Subcommittee on Foreign Operations some time ago held a hearing in New York in which one of the Cuban Marielitos testified behind a shield that he was a Cuban trained agent. He was a Cuban who came over with about 600 or 700 others to set up a drug smuggling network. He himself was responsible for something on the order of about $10 million worth of drug sales here, in the United States, prior to his capture. All of those moneys were turned over to the Cuban authorities, so that this is an ongoing thing.

Again, not only are they able to raise hard cash or set up their own intelligence network, but also, by the same token, they contribute to the erosion of the strength and vibrancy of our Nation, as young people become addicted, bringing with it attendant crime.

So, without a doubt, there are multiple occasions in which this has been undertaken.

Senator **Pressler**. Thank you very much.

Senator **Trible**. Senator D'Amato, on behalf of the joint committees let me thank you for your informative testimony. This committee will hold heaings in June which will take a comprehensive look at our bilateral relations with those nations in which we find substantial drug activities as well as nations supporting those activities. So we will be pursuing many of the issues that you have raised, along with Senator Specter and others. Hopefully, working with you and our colleagues, we can make some positive contribution.

Thank you for being here.

Senator **D'Amato**. Thank you very much, Mr. Chairman.

Senator **Denton**. We have two witnesses waiting. But before we bring them up, I want to thank Senator Trible that such hearings will take place in June. I am delighted to hear that.

In deference to the media, to give them credit where credit is due, it is they who are pointing out that every answer to every problem of a conflict of interest or an attack on an interest of the United States does not have to be military. It is they, probably, who finally caused the embargo on Nicaragua.

As I mentioned in my opening statement, it should not always be force. It can be economic, diplomatic. It can be political. It can be psychological. I believe we need the media about as much as we need government. We need you to keep government honest. You have to keep telling us what we are not seeing. I think the media have done a tremendous job in promoting better racial relations, better consideration of the environment, and, indeed, better foreign policy. But if they do not have the guts to take criticism from those whom they criticize, then what kind of free media do we have?

Let's have open and frank discussion.

We are fortunate to have Mr. David Westrate, Deputy Assistant Administrator, Drug Enforcement Administration, and Mr. Clyde Taylor, Deputy Assistant Secretary, Bureau of International Narcotics Matters, Department of State on our first panel this morning.

They will be followed by Dr. Yonah Alexander, Georgetown Center for Strategic and International Studies.

I note that another journalist cancelled out yesterday. Also another journalist accepted our invitation to testify today, but cancelled out just yesterday. We regret that. There should be a candid face-to-face give and take.

Mr. Taylor, would you care to go first?

STATEMENT OF CLYDE D. TAYLOR, DEPUTY ASSISTANT SECRETARY OF STATE, BUREAU OF INERNATIONAL NARCOTICS MATTERS, DEPARTMENT OF STATE

Mr. Taylor. Thank you, Mr. Chairman.

I will make a few oral remarks and will ask that the longer presentation of my testimony be accepted for the record, if that is permissible.

Senator Denton. Without objection.

Mr. Taylor. Mr. Chairman, the Department welcomes this opportunity to testify on the relationship between narcotics trafficking and international terrorism.

A requested, we are providing testimony on the linkages between drug trafficking, political insurgency, and terrorism. Also, as requested, our testimony gives special emphasis to these linkages as they occur in the Western Hemisphere and the Middle East.

Increasingly, international narcotics control efforts are impeded by violence, subversion and corruption. The fact which we emphasize to your committees is that this violence has increased because our cooperative efforts with the source nations are beginning to have an effect on trafficking operations.

A further fact which we wish to establish with your committees is the identity of those groups and persons who operate this traffic, and the identity of those groups and persons who attempt to undermine our efforts.

We will report on the groups which hold in common the use of violence and the relationship to the narcotics trade—including groups which finance their terrorist actions through profits derived from the narcotics trade; groups which are actively engaged in narcotics trafficking and use terrorism to enhance or sustain their positions; and groups randomly organized by narcotics traffickers, who resort to violence and other terrorist type activities to protect and enhance their criminal enterprise.

In many narcotics producing countries, organizations which describe themselves as political insurgents quite frequently use terrorist tactics and have become involved, directly or indirectly, with narcotics production and trafficking. There are links between drug trafficking, arms smuggling, and terrorist groups. Frequently, when you find the one activity, you find the others, especially in the Middle East.

We have also seen some indications of state-sponsored narcotics trafficking. In a few instances, the further indication is that certain of the Communist countries have engaged, to some degree, in facilitating narcotics trafficking.

But another fact which we would like to establish before your committees is that narcotics trafficking in Latin America, in Asia, in the Middle East and in Europe, is dominated by narcotics traffickers who are governed only by their greed and whose only ideology—if you can call it one—is the pursuit of profit.

Most of these groups cannot be called terrorists, or even political insurgents, nor do we have evidence of a Communist conspiracy to use drugs to undermine Western democracies or our own society in particular.

Terrorism is commonly defined as the use of violence and the threats to use violence as a political weapon to achieve control, to influence government policy and/or to destabilize and even overthrow governments.

When we speak of terrorism, we generally refer to groups such as the Red Brigades of Italy, the Red Army faction in Germany, Armenian terrorist organizations, and others.

When we speak of state-sponsored terrorism, we generally refer to the practice of Iran, Libya, and a few other governments to employ state-sponsored violence as a weapon, sometimes by surrogates, to achieve political objectives.

Consequently, the legal definition of terrorism cannot be used to describe narcotics traffickers and their organizations, although the tactics they use at times are equal to or exceed those of terrorist organizations.

However, while most of the groups involved with narcotics trafficking or production do not meet the legal or traditional definitions of insurgents or terrorists, the fact is that the use of planned, sophisticated, high-threat violence to achieve goals and interests, even in the absence of a political agenda, is terrorism and has been so labeled in Peru, Colombia, and Mexico by most observers.

Moreover, the increasing use of violence against international drug control efforts, regardless of the source, as well as the dealing in drugs for arms, and the financing of terrorist and other political insurgencies through illicit narcotics activities pose severe threats to the national security of the producer nations—by that I mean the nations which are sources of illicit drugs—and to the prospects for successful international narcotics control.

The recently published annual report of the International Narcotics Control Board Report was correct in saying that the "very security of some states is threatened."

Indeed, the sheer financial power of these trafficking organizations has threatened the political status quo, with traffickers using their millions of dollars to influence political decisions, even to elect representatives of trafficker interests to national congresses, to buy newspapers and radio stations, and to launch high-powered public relations initiatives.

Recently, Deputy Prime Minister Musa Hitam of Malaysia stated that the most severe national security issue he faces today is narcotics. His nation is prepared to combat the problem as if it were an enemy invasion.

In some countries, small armies have been built up around narcotics production and trafficking organizations, which add the perils of coercion, intimidation, and death to the pervasive corruption and erosion of governmental institutions that always accompanies narcotics.

In his well-received September 14, 1984 speech on narcotics control in Miami, Secretary of State George Shultz stated his belief that the growing narcotics network was part of a trend toward international lawlessness which has been increasing dramatically during the past two decades.

Comparing the traffickers' blatant disregard for international principles and law, Secretary Shultz called them "modern pirates." He said, and I quote,

> The modern versions of piracy are narcotics trafficking, terrorism, and similar kinds of outlaw behavior. Not surprisingly, there is ample evidence that shows all these different types of lawlessness are linked. Money from drug smuggling supports terrorists. Terrorists provide assistance to drug traffickers. Organized crime works hand in hand with these other outlaws for their own profit. And what may be most disturbing is the mounting evidence that some governments are involved, too, for their own diverse reasons.

We have come to understand that narcotics trafficking is, as Secretary Shultz maintained, a key element in global lawlessness, which includes terrorism, insurgency, violence, and a simple disregard for human values. New links between narcotics traffickers and other kinds of organizations are continually confirmed, and all too frequently we are compelled to witness the havoc that the modern-day version of pirates have wrought upon the international community.

In April 1984, the increasingly successful Colombian actions against narcotics traffickers, especially the Caqueta raid in March, which netted 10 tons of cocaine, prompted the narcotics traffickers to contract for the machinegun killing of Justice Minister Lara Bonilla.

On April 8 this year, two other men, also on motorcycles, assassinated Criminal Court Justice Alvaro Medina-Ochoa outside his residence in Colombia.

In Peru, 19 workers in the U.S.-sponsored coca eradication program were brutally slain in a terrorist style attack that was probably the work of narcotics traffickers.

In February, the ringleaders of the Mexican narcotics trafficking networks conspired to kidnap and then killed DEA agent Enrique Camarena.

We have also seen how political criminals are increasingly turning to narcotics smuggling as a way to finance their operations. In November 1984, the FBI discovered a plot to assassinate the democratically elected President of Honduras. The group of dissidents, including a Honduran general, planned first to sell large amounts of cocaine and then use the profits to attempt to overthrow the government.

In sum, then, there is no question but that our ever intensifying drug control efforts are being challenged with equal intensity by well-armed, well-financed narcotics trafficking organizations, nor any question about their willingness to use murder and assassination as tools of opposition.

Moreover, there is no question but that the lucrative narcotics trade is attracting political insurgents or that terrorists are attempting to exploit the unrest caused by government suppression of narcotics farming.

However, while we view the connection between narcotics and political-type terrorism with considerable disgust and concern, we would not want to leave the impression that the elimination of these traditional political terrorist connections, insurgent connections, or even government-sanctioned trafficking, would dramatically reduce in the short term the availability of worldwide narcotics supplies. Nor is it our intent to blame the entire or major part of the illicit narcotics supply problem on Communist-inspired insurgencies or other political insurgencies and terrorism. Rather, we seek to underscore the importance of this issue and the difficulties it creates for many nations as well as our own antinarcotics problem.

Thus, although the magnitude of drugs traded by political insurgents or terrorists do not appear to be large, the rewards are extremely significant and threatening. A profit of $420 million—even $5 million, not large by international narcotics standards—can buy an election, finance a supply of arms for insurgency, and, in sum, destabilize legitimate governments and subordinate democratic processes.

Again, the fact is that the narcotics trade predominantly originates in friendly or allied countries, and is predominantly controlled by groups or individuals whose primary motivation is financial, not political. And, elimination, through arrest and prosecution, of the narcotics gangs, the entrepreneurs, like Roberto Suarez in Bolivia, Pablo Escobar and Carlos Lehder in Colombia, Caro Quintero and Ernesto Fonseca, Mata Ballasteros and Felix Gallardo in Mexico—the padrones who control the traffic and hire the gunmen—would very definitely impact upon drug production in those countries.

Three of the four drug kingpins in Mexico have been arrested and are in jail; and leading traffickers are being aggressively pursued in Mexico and other countries.

We have attached to this oral statement a detailed report on specific country situations. I will conclude my remarks by offering a brief summary of those situations.

The threat of terrorist-style attacks by narcotics interests upon narcotics control program officials and workers is probably highest at present in Colombia and Peru. But we are concerned about the increased possibility of such attacks as narcotics control programs expand in Burma, Bolivia, and Jamaica, and we remain concerned about the narcotics-related lawlessness in some parts of Mexico.

Narcotics trafficking most clearly involves political insurgents in Burma and Colombia. The involvement of traditional terrorist groups in the narcotics trade remains most pronounced in Europe and the Middle East. Possible state-sanctioned involvement in the trade continues to include Bulgaria, Cuba, and Nicaragua.

As I said at the outset, we expect these threats and even attacks to increase as international narcotics programs continue to expand and improve. The Department of State has said, quite frankly, that such attacks will not diminish our determination to bring this problem under control.

Thank you.

[Mr. Taylor's prepared statement follows:]

PREPARED STATEMENT OF CLYDE D. TAYLOR

MR. CHAIRMEN:

The Department welcomes this opportunity to testify on the relationships between narcotics trafficking and international terrorism. As requested, we are providing testimohy on the linkages between drug trafficking, political insurgency, and terrorism. Also as requested, our testimony gives special emphasis to these linkages as they occur in the Western Hemisphere and the Middle East.

Increasingly, international narcotics control efforts are impeded by violence, subversion and corruption. The fact which we emphasize to your Committees is that this violence has increased because our cooperative efforts with the source nations are beginning to have an effect on trafficking operations. A further fact which we want to establish with your Committees is the identity of those groups and persons who operate this traffic, and the identity of those groups and persons who attempt to undermine our efforts. We will report on the groups which hold in common the use of violence and a relationship to the narcotics trade -- including groups which finance their terrorist actions through profits derived from the narcotics trade; groups which are actively engaged in narcotics trafficking and use terrorism to enhance or sustain their positions;. and, groups randomly organized by narcotics traffickers who resort to violence and other terrorist type activities to protect and enhance their criminal enterprise.

In many narcotics producing countries, organizations which describe themselves as political insurgents quite frequently use terrorist tactics and have become involved directly or indirectly with narcotics production and trafficking. There are links between drug trafficking, arms smuggling, and terrorist groups, and, frequently, when you find the one activity you find the others, especially in the Middle East. We have also seen some indications of state-sponsored narcotics trafficking. In a few instances, the further indication is that certain of the Communist countries have engaged to some degree in facilitating narcotics trafficking.

But, another fact which we would like to establish before your Committee is that narcotics trafficking, in Latin America, in Asia, in the Middle East, and in Europe, is dominated by narcotics traffickers who are governed only by their greed and whose only ideology -- if it can be called one -- is the pursuit of profit. Most of these groups cannot be called terrorists, or even political insurgents, nor do we have evidence of a Communist conspiracy to use drugs to undermine Western democracies, or our own society in particular.

Terrorism is commonly defined as the use of violence and the threats to use violence as a political weapon to achieve control, to influence government policy and/or to destabilize and even overthrow governments. When we speak of terrorism, we generally refer to groups such as the Red Brigades of Italy, the Red Army faction in Germany, Armenian terrorist organizations and others. When we speak of state-sponsored terrorism, we generally refer to the practice of Iran, Libya and a few other governments to employ state-sponsored violence as a weapon, usually by surrogates, to achieve political objectives.

Consequently, the legal definition of terrorism cannot be used to describe narcotics traffickers and their organizations, although the tactics they use at times are equal to, or exceed, those of terrorist organizations.

However, while most of the groups involved with narcotics trafficking or production do not meet the legal or traditional definitions of "insurgents" or "terrorists", the fact is that the use of planned, sophisticated, high-threat violence to achieve goals interests, even in the absence of a political agenda, is terrorism, and has been so labeled in Peru, Colombia and Mexico by most observers.

Moreover, the increasing use of violence against international drug control efforts, regardless of the source, as well as the dealing in drugs for arms, and the financing of terrorist and other political insurgencies through illicit narcotics activities, pose severe threats to the national security of the producer nations and to the prospects for successful international narcotics control.

The recently published annual United Nations International Narcotics Control Board Report was correct in saying that the "very security of some states is threatened." Indeed, the sheer financial power of these trafficking organizations has threatened the political status quo, with traffickers using their millions of dollars to influence political decisions, even to elect representatives of trafficker interests to national congresses, to buy newspapers and radio stations, and to launch high-powered public relations initiatives. Recently, Deputy Prime Minister Musa Hitam of Malaysia stated that the most severe national security issue he faces today is narcotics. His nation is prepared to combat the problem as if it were an enemy invasion. In some countries, small armies have been built up around narcotics production and trafficking organizations, which add the perils of coercion, intimidation and death to the pervasive corruption and erosion of governmental institutions that always accompanies narcotics.

In his well-received September 14, 1984 speech on narcotics control in Miami, Secretary of State, George Shultz stated that he believed that the growing narcotics network was part of a trend towards international lawlessness which has been increasing dramatically during the past two decades. Comparing the traffickers' blatant disregard for international principles and law, Secretary Shultz called them "modern pirates." He said, and I quote "the modern versions of piracy are narcotics trafficking, terrorism, and similar kinds of outlaw behavior. Not surprisingly, there is ample evidence that shows all these different types of lawlessness are linked. Money from drug smuggling supports terrorists. Terrorists provide assistance to drug traffickers. Organized crime works hand in hand with these other outlaws for their own profit. And what may be most disturbing is the mounting evidence that some governments are involved, too, for their own diverse reasons."

We have come to understand that narcotics trafficking is, as Secretary Shultz maintained, a key element in global lawlessness which includes terrorism, insurgency, violence and a simple disregard for human values. New links between narcotics traffickers and other kinds of organizations are continually confirmed, and all too frequently we are compelled to witness the havoc that the modern-day version of pirates have wrought upon the international community.

In April 1984, the increasingly successful Colombian actions against narcotics traffickers, especially the Caqueta raid in March which netted 10 tons of cocaine, prompted the narcotics traffickers to contract for the machine-gun killing of Justice Minister Lara Bonilla. On April 8 this year, two other men also on motorcycles assassinated Criminal Court Justice Alvaro Medina-Ochoa outside his residence in Colombia. In Peru, 19 workers in the U.S. supported eradication program were brutally slain, in a terrorist-style attack that was probably the work of the narcotics traffickers. In February, the ringleaders of the Mexican narcotics trafficking networks conspired to kidnap and then killed DEA Agent Enrique Camarena.

We have also seen how political criminals are increasingly turning to narcotics smuggling as a way to finance their operations. In November, 1984, our FBI discovered a plot to assassinate the democratically elected President of the Honduras. The group of dissidents, including a Honduran General, planned first to sell large amounts of cocaine and then use the proceeds to attempt to overthrow the government.

In sum, then, there is no question but that our ever intensifying efforts are being challenged with equal intensity by well-armed, well-financed narcotics trafficking organizations, nor any question about their willingness to use murder and assassination as tools of opposition. Moreover, there is no question but that the lucrative narcotics trade is attracting political insurgents, or that terrorists are attempting to exploit the unrest caused by government suppression of narcotics farming.

However, while we view the connection between narcotics and political-type terrorism with considerable disgust and concern, we would not want to leave the impression that the elimination of these traditional political terrorist connections, insurgent connections, or even government-sanctioned trafficking, would dramatically reduce, in the short term, the availability of worldwide narcotics supplies. Nor is it our intent to blame the entire or major part of the illicit narcotics supply problem on Communist-inspired insurgencies, other political insurgencies, or terrorism. Rather we seek to underscore the importance of this issue and the difficulties it creates for many nations as well as our anti-narcotics program.

Thus, although the magnitude of drugs traded by political insurgents or terrorist do not appear to be large, the rewards are extremely significant and threatening. A profit of $20 million, even $5 million, not large by international narcotics standards, can buy an election, finance a supply of arms for insurgency, and, in sum, destabilize legitimate governments and subordinate democratic processes.

Again, the fact is that the narcotics trade predominantly originates in friendly or allied countries, and is predominantly controlled by groups and individuals whose primary motivation is financial, not political. And, elimination, through arrest and prosecution, of the narcotics gangs, the entrepreneurs like Roberto Suarez in Bolivia, Pablo Escobar and Carlos Lehder in Colombia, and Caro Quintero, Ernesto Fonseca, Mata Ballasteros, and Felix Gallardo in Mexico

-- the padrones who control the traffick and hire the gunmen -- would very definitely impact upon drug production in those countries. Three of the four drug kingpins in Mexico have been arrested and are in jail, and leading traffickers are being aggressively pursued in Mexico and other countries.

We have attached to this oral statement a detailed report on specific country situations. I will conclude my remarks by offering a brief summary of those situations.

The threat of terrorist-style attacks by narcotics interests upon narcotics control program officials and workers is probably highest at present in Colombia and Peru, but we are concerned about the increased possibility of such attacks as control programs expand in Burma, Bolivia and Jamaica, and remain concerned about the narcotics-related lawlessness in some parts of Mexico. Narcotics trafficking most clearly involves political insurgents in Burma and Colombia. The involvement of traditional terrorist groups in the narcotics trade remains most pronounced in Europe and the Middle East. Possible state-sanctioned involvement in the trade continue to include Bulgaria, Cuba and Nicaragua.

As I said at the outset, we expect these threats and even attacks to increase as international narcotics programs continue to expand and improve. The Department of State has said quite frankly that such attacks will not diminish our determination to bring this problem under control.

COUNTRY REPORTS

LATIN AMERICA AND THE CARIBBEAN

Bolivia

Bolivia has more trouble with sheer lawlessness and violence derivative from the narcotics trade rather than with direct linkages between narcotics traffickers and ideologically motivated terrorists, which are not known here. A climate of lawlessness prevails in certain areas of Bolivia, especially the Chapare, an area which is the size of New Jersey and, until recently, has been completely at the mercy of traffickers who have the arms and wealth to control territories.

Narcotics traffickers intimidate and at times kill Chapare peasants who do not wish to cooperate in the production and trafficking of narcotics. Nor are narcotics police immune to attack; a group of seven policemen were murdered in 1982 when it appeared the government would increase control efforts. There has also been widespread harassment directed against civilians, mainly peasants, and against any who challenge the narcotraffickers' domination in the Chapare region. For several years, there was no recourse to police protection, because no law and order presence had been established in principal coca growing regions. Since February 3, 260 anti-narcotics police have been permanently stationed in the Chapare, and a special mobile police unit has begun raids in the Cochabamba area. These units have recorded the first significant narcotics seizures in Bolivia in several years.

Violence among the traffickers is growing. There are hundreds of well-armed traffickers and the rivalries among them often result in murders, vendettas and other violence, which spills over into other sectors. This type of violence is becoming more common, especially in the city of Santa Cruz, a habitat for many in the "cocaine Mafia."

There have been persistent rumors that members of both the far left and the far right are involved in and financing political activities through trafficking, arms smuggling and other related illegal activities. Bolivia's endemic political instability offers such politically motivated and corrupt elements of society an opportunity to foster links between narcotics traffickers and radical politics, left or right.

Related to the above concerns is the presence of "paramilitary thugs" in the Beni and Chapare areas paid by traffickers to guard planes, airfields and activities. Several former military officers are said to be involved with such groups, some of whom were forcibly discharged from the military during the tenure of the current Bolivian government. Their activities, while not yet seriously directed against the State, are a source of potential threat to the existing order as they are likely to have access to narcotics money.

Perhaps most importantly, the presence and activities of large numbers of narcotics traffickers in wide areas of Bolivia potentially challenges the sovereignty of the State. The writ of the traffickers runs widely, and, while the traffickers are not engaged in consistent terrorist actions of a political nature, the areas under their effective control constitute a state within a state, where the rule of law frequently does not exist.

Colombia

There are clear connections between Colombian querilla groups and narcotics production and smuggling operations. There are narcotics groups with links to insurgents and who employ "terrorist-type violence" against the state and society, and political insurgent groups who commit terrorist and criminal acts and who have narcotics links. Given this connection, and the willingness of both criminals and insurgents to employ violence to achieve their goals, a general level of violence has long been a feature of the Colombian narcotics scene.

The most infamous recent examples of narcotics-related criminal violence were the April 1984 assassination of Justice Minister Lara, which was preceded by the February 1984 murder of Eduardo Gonzalez, previously a high level assistant in the Justice Ministry. Lara played a highly visible role as leader of the Colombian government's anti-narcotics program. Gonzalez, who had been an assistant to the former minister of justice, had actively and publicly supported implementation of the United States extradition treaty with Colombia. Earlier this year, a car bomb was exploded outside the U.S. Embassy in Bogota. And, in April, Criminal Court Justice Alvaro Medina-Ochoa was assassinated outside his residence.

Other narcotics-related violence may appear in either criminal or political guise. In late July 1984, a bomb exploded on the campus of the University of the Atlantic in Barranquilla. A previously-unheard of group called the Urban Insurrection Front claimed responsibility, stating that it was protesting the spraying of marijuana crops in the Sierra Nevada mountains. Whether the incident was political or criminal in origin is uncertain, and indeed may never be known.

There are four major insurgent organizations in Colombia. The Revolutionary Armed Forces of Colombia (FARC) is the largest, oldest and best equipped. It has 23-28 guerilla fronts with a total of approximately 2,000 active members and a support infrastructure which pushes its number to 5,000 or more. Basically a rural movement, half of its fronts operate in coca and marijuana growing areas. The 19th of April Movement (M-19) has about 900 activists divided into 140 cells. The National Liberation Army (ELN) is composed of nine groups with approximately 300-800 combatants. Some 250 people are involved in the Popular Liberation Army (EPL), with perhaps an equal number in its dissident Pedro Leon Arboleda (PLA) faction.

We will use the FARC organization to describe how these insurgents groups operate in the narcotics trade. According to information received in 1984, each FARC front had a specific responsibility with the groups in Guaviare and Vaupes Departments to operate in conjunction with the narcotics traffickers for money and arms. Since that time -- and possibly before -- the FARC has been collecting protection payments from coca growers in their operating territory. One front reportedly obtained $3.8 million per month in taxing the coca industry. The XIII Front, located in the south of Huila Department, and the IV Front operating in Putumayo Department have been active in dealing with coca traffickers in obtaining arms and ammunition through them. At one time, Rigoberto Lozano Perdono was commissioned in Caqueta Department by FARC to maintain direct control over narcotics trafficking and to collect the corresponding quotas. According to one 1983 report, the FARC approved the expropriation of 50,000 pesos per hectare (or US $66 at the 1983 exchange rate) and 45,000 pesos (US $600) for a processed kilo of cocaine from the traffickers.

In exchange, the FARC has let coca growers go about their business and has often warned them of the arrival of anti-narcotics police or military patrols. The guerillas have also controlled enough strategic points along certain rivers to harass or interdict travel by the police. The FARC also guarantees a number of clandestine airfields vital to the drug trade. Thus, the basic benefit that the coca growers derive from their relationship with the FARC is protection.

The benefit to the guerillas like FARC and others is basically financial: drugs provide money to buy weapons and supplies. These may be procured through the traffickers and, as in the case of the M-19, through a government, and shipped into Colombia on return drug flights. According to one observer, the FARC has also benefitted by taking advantage of the transient laborers who are attracted to the coca zones and are then recruited by the FARC. There have been occasional reports that the FARC has also extorted money from marijuana traffickers along the North Coast, particularly in Magdalena Department.

It is fairly certain that wherever a FARC front operates and trafficking is carried on, some arrangement exists between the two groups. During the March 1984 raid on the giant cocaine processing center in Caqueta Department, the Colombian authorities found a FARC camp a half-mile from a cocaine laboratory. While this does not mean FARC participation in cocaine refining, it does indicate some form of agreement for coexistence with the traffickers, perhaps protection for processing sites. In addition, the FARC may to a lesser degree have engaged in the cultivation of coca. In November, 1983, the Colombian Army discovered 90 hectares of coca and a processing laboratory next to an abandoned FARC camp in Southern Colombia.

The other "most noted" insurgent involvement in narcotics has been on the part of the M-19 group. The urban based movement became involved in a guns-for-drugs nexus after it opened up rural fronts in 1981. M-19 leaders approved of the group's cooperation with career drug smuggler Jamie Guillot-Lara who supplied the group with weapons. In return, Guillot-Lara received assistance in his drug smuggling enterprise from high-ranking Cuban officials. In one celebrated 1981 incident, a Guillot-Lara ship, the Karina, was sunk by the Colombian Navy with an estimated 100 tons of weapons aboard. Guillot-Lara and the four Cuban officials who were indicted with him by a Miami court remain fugitives.

Today, the M-19 involvement is considered less extensive than the FARC involvement. There have also been unconfirmed reports of "taxation" of drug growers and traffickers by the ELN and EPL in their areas of operation.

The Government of Colombia has sought for some time to come to agreement with these insurgent organizations and begin steps to end the political violence and end the threat which the guerillas have posed to national security. After several months of discussions between the FARC major command and the Colombian Government's Peace Commission, a cease-fire with the FARC went into effect on May 28, 1984. Discussions with the M-19 and EPL led to an agreement in August.

In sum, the government's intention has been to address the security problem posed by these groups. At the same time, the government's determination to attack the drug trade has been strong and unequivocal. It will take time to see how the arrangements with the insurgents develop, but it is not expected that they will include concessions which compromise the offensive against the narcotics trade.

Narcotics-related violence in Colombia has also come from other groups. The group known as Death to Kidnapers (MAS) is widely believed to have been founded by narcotics traffickers as a result of the kidnapping for ransom of the daughter of a known trafficker. In remarks to the Colombian press, Carlos Lehder, widely acknolwedged as a leading narcotics trafficker, has also drawn a connection between himself and MAS.

Cuba

Reports of Cuban government involvement in narcotics trafficking first reached the U.S. Government in 1963. However, these reports were isolated and most of them not corroborated. While a series of reports in the Seventies suggested Cuban Government involvement, it did not provide solid evidence of such activity. In addition, no reports during this period confirmed a connection between international terrorism and Cuban involvement in narcotics trafficking.

The best evidence to date of a Cuban narcotics link became available in connection with an indictment of 14 persons in Federal District Court in Miami in November 1982, including four high-level Cuban officials: Fernando Ravelo Renedo, a former Cuban ambassador to Colombia; Gonzalo Bassols Suarez, former deputy chief of mission at the Cuban embassy in Bogota; Rene Rodriguez Cruz, president of the Cuban Institute of Friendship with the Peoples; and Aldo Santamaria Cuadrado, vice admiral of the Cuban navy.

This case, known popularly as the Guillot Lara case, and referred to in the discussion of Colombia, documented actions by Cuban Government officials to facilitate drug trafficking through the Caribbean as well as the shipping of arms to the M-19 guerilla forces in Colombia. The Cuban Government has vigorously denied any involvement and the four indicted Cuban officials have not appeared for trial. However, the majority of persons who did stand trial were convicted.

Subsequent reports indicate that narcotics traffic continues to pass through or over Cuban territory. For example, the Drug Enforcement Administration has noted that the chartboard on a vessel seized in 1981 tracked the boat from Havana to Tampa Bay. The diary of a boat seized in 1983 showed an itinerary which included Cuba. In September of that year, the wreckage of an airplane involved in narcotics trafficking contained a let down chart for Varadero, Cuba, and its fuel tank contained a mixture not available in Jamaica, where it departed, or in the United States, where it crashed. Colombian officials said in press reports in March 1984 that airplanes carrying drugs out of the country returned with cargoes of Cuban-supplied weapons for the FARC guerilla forces. However, these and other reports that Cuba is currently engaged in drugs-for-weapons deals have not been confirmed. However, evidence continues to mount that boats and planes carrying drugs have enjoyed Cuban airspace, territorial waters and refueling facilities, without hindrance.

Nicaragua

In late July 1983, Canadian authorities arrested Rodolfo Palacios Talavera, a first secretary of the GRN's Embassy in Ottawa for possesion of cocaine with an estimated value of $100,000. According to an unconfirmed report from a police informant, the Nicaraguan diplomat was part of a major drug trafficking ring which included Interior Minister Tomas Borge and other senior Sandanistas. Following judicial wrangling over his diplomatic status, Palacios was declared persona non grata in February 1984 and departed Canada.

In mid-July 1984, a Federal grand jury in Miami indicted 11 persons including an associate of Borge on cocaine smuggling charges. According to the indictment, Frederico Vaughan, the associate, actively assisted Colombian smugglers in their efforts to ship 1,500 kilos of cocaine to the United States. The indictment, which is based in large part on the testimony of a U.S. Government informant in direct contact with Vaughan, and on detailed evidence gathered primarily by the Drug Enforcement Administration, further alleges that Vaughan had a standing arrangement with the Colombians to assist cocaine trafficking, using GRN facltiies. The fact that, according to the complaint, which is bolstered by photographs taken covertly from within the plane, GRN troops assisted in loading the cocaine onto the plane, and that the plane was allowed to park at the military part of the Managua field, suggests approval and participation by additional GRN officials.

In recent months, there have been other public allegations that Sandanista officials were involved in drug trafficking as part of a state-sanctioned policy. For example, the anti-GNR group ARDE has claimed that Sandanista Air Force Commander Raul Venerio used planes of the Nicaraguan Airline Aeronica to transport narcotics to and from Colombia. We are as yet unable to verify this accusation.

GNR officials have denied any official involvement in the narcotics trade. There is ample documentation of Sandanista support for terrorism and subversion in Central America. I would call your attention in this regard to the Department of State/Department of Defense joint background paper on Nicaragua. Sandanista involvement in drug trafficking would be consistent with their flouting of the rules of respected international behavior.

Peru

Narcotics-related violence in Peru has been increasing since late 1983, particularly in the Upper Huallaga Valley region. A series of violent attacks on police units and workers climaxed in early November 1984 with the brutal killing of 19 coca eradication and survey workers. Available information indicates that the killing of the workers was by gunmen hired by narcotics traffickers. In mid-February, approximately 20 people were murdered in the Valley, possibly by narcoterrorists, who cited "revolutionary" reasons only to justify their acts.

Some Peruvian officials have suggested that the Maoist terrorist group Sendero Luminoso has established close ties to international narcotics traffickers. Because of the limited U.S. official presence, as well as the particularly secretive nature of the Sendero Luminoso, we do not have a complete understanding of the interaction between terrorists and narcotics interests, and no additional information to corroborate that claim. The links are purportedly based on arms and money supplied by narcotics interests to the terrorists in return for protection against law enforcement authorities. Peru's major coca growing regions, including the Upper Huallaga Valley where U.S. supported crop control actions are ongoing, are far from Lima in remote and often inaccessible locations.

Rather, the facts available to us do not document that international traffickers and the SL maintain a structured relationship or that they take joint actions in pursuit of common objectives or mutual assistance. We understand that statements by SL terrorists captured in the Upper Huallaga Valley strongly suggest that they and narcotics interests are working in the same geographic area, taking advantage of the same environment (limited government presence, a general climate of lawlessness, peasant unrest) but operating separately. Weapons seized by security forces in anti-terrorist actions have reportedly consisted of dynamite, homemade devices and small arms stolen from local police. These are not the kinds of weapons normally associated with the international narcotics traffic.

Furthermore, SL interests would appear to differ from those of narcotics growers and traffickers in important respects. Narcotics elements in Peru (and elsewhere) generally try to maintain the lowest profile possible to avoid law enforcement attention (although this has been less true of late, as evidenced by the very public attacks on anti-narcotics workers in Peru and elsewhere, and the official killings•that have occured in Latin America; more, the attack on the cacao plant in Peru, which resulted from a refusal to let coca traffickers use the facility, and the bombings of several buildings, were all very attention-attracting criminal acts, and were reliably reported to be the work of coca traffickers). SL terrorists on the other hand thrive on the fear and chaos produced by public knowledge of their depredations. And, SL is characterized by ideological rigidity and, unlike revolutionary movements elsewhere, has demonstrated no willingness to make the kinds of tactical arrangements with corrupt elements of society or other political groups to advance its goals.

There is however, substantial reason to believe that coca growers have become prime targets for SL recruitment. Many growers in the Upper Huallaga Valley are recent immigrants from the highland areas where SL has established certain roots. Unfamiliar with the traditional society or ecology of their new home, they frequently feel homesick and alienated. These immigrants speak the same language (Quechua) as do SL's terrorist recruiters and have similar cultural backgrounds. Many see coca eradication efforts as a threat to their survival. When recruiters announce that they have come to protect the livelihood of growers against government interference, they find ready listeners. Paradoxically, the growing success of U.S. funded eradication efforts may be making the remaining growers more desperate and more susceptibloe to the blandishments of terrorist recruiters.

Similar terrorist-grower interaction may also be occurring in other coca-growing areas. For example, recent demonstrations by licensed coca-growers in the Cuzco area, protesting low prices paid by the GOA coca monopoly ENACO, showed signs of political sophistication unexpected among frequently illiterate growers. The way this protest unfolded suggested that terrorist recruiters may well be playing on fears of coca growers in that area to gain recruits.

It should be clearly understood that a considerable amount of the violence in the Upper Huallaga Valley is criminally motivated and without ideological connotations. Repeated threats to and attacks on coca eradication workers and bombings of narcotics program headquarters have not been accompanied by standard terrorist propaganda. In addition to the incidents previously cited, such as the attack on the cacao plant, the April 1984 murder of the mayor of the Upper Huallaga town of Tingo Maria also lacked political connotations. In July 1984, two men arrested while attacking eradication workers with dynamite and guns proved to be thugs hired by coca growers whose fields were scheduled to be cleared the following day.

The Peruvian government has moved in recent months to meet the serious problems posed by terrorist and narcotics activities in the Upper Huallga region. In the May-July 1984 period, two major operations by trained commandos and local police supported by Air Force helicopters, directed against the twin threats, resulted in destruction of 28 clandestine airstrips and the confiscation of 304 kilos of coca paste and 2,167 kilos of coca leaf, and in the capture of some 200 alleged terrorists, the destruction of three SL training and indoctrination centers, and the confiscation of large amounts of arms and subversive literature. However, the numbers and logistics of the UMOPAR narcotics police were inadequate to cover the enormous amount of territory involved and to deal adequately with the magnitude of the parallel and overlapping terrorist and narcotics challenges. After the slaying of the coca control workers in November, the military returned to the region, acting under a state of seige declaration and under orders that the Armed Forces assume responsibility for the anti-terrorist effort, and again began suppressing terrorist activity. Coca control activities were suspended during this period, resuming February 3 with both crop eradication and enforcement activities.

The Government has announced that the military and narcotics police will work closely in allied efforts.

SOUTHERN EUROPE AND THE MIDDLE EAST

Bulgaria

Drug dealers, many of them Turkish nationals, operate out of semi-permanent bases in Bulgaria. It was the activities of some of the more flagrant of these drug dealers in Bulgaria that first brought the Bulgarian connection to public view. These international drug dealers, who used Bulgaria as a safe base for running operations elsewhere, resided openly in Sofia for long periods of time, maintaining flamboyant and free-spending lifestyles of which the Bulgarian Government certainly was aware.

In testimony given in August of last year, U.S.Government agencies cited evidence that Bulgarian authorities tolerate these drug dealers. The Drug Enforcement Agency has provided Bulgaria with the names of known narcotics traffickers operating inside that country on several occasions, most recently at a meeting between representatives of the DEA and Bulgarian officials in February, 1985. The Department of State, both in Washington and Sofia, has pursued this issue vigorously with Bulgarian authorities and established a dialogue with Bulgarian officials directly responsible for narcotics matters.

Although some progress has been made in eliciting Bulgarian responses to our formal investigative requests, much remains to be done to establish fully satisfactory bilateral cooperation. In the circumstances, it would be premature to consider re-establishing formal bilateral customs cooperation, a subject the Administration has refused to pursue given substantial evidence of Bulgarian complicity in illicit trafficking in narcotics.

There has been extensive publicity during the past year about reports received since 1970 about narcotics trafficking in and through Bulgaria, facilitated by Kintex, a Bulgarian state trading organization. These reports from knowledgable sources implicated top-ranking members of the Bulgarian Security Service or ex-Ministers comprising the Kintex directorate. Possibly as a result of this publicity, reports during the past year suggest that many of these activities have been curtailed. It cannot be substantiated, however, that all such activity has ceased, or that the Bulgarians have not transferred it to other institutions. The Bulgarian Government has been made fully aware that any activities of its trading companies in the illicit drug trade will be carefully monitored and brought to its immediate attention.

The Department of State views the charges made about Bulgarian activities very seriously. Drug smuggling, illegal arms shipments, and terrorism -- which have been linked in many reports -- are activities in which no responsible government should be engaged. The problem of Bulgarian involvement in international narcotics smuggling directly affects Western European nations. In cooperation with those U.S. agencies with primary responsibility for narcotics investigations, and with other governments, we will continue to seek the Bulgarian Government's genuine cooperation in the elimination of drug trafficking in the interests of all countries.

Turkey

Until the early 1970s, Turkey was the major source of illicit opium for most of the heroin destined for the U.S.

market. The opium, which was diverted from licit cultivation, was grown mainly in the western part of the country, free from insurgent activity. Some Turkish officials pointed to a drug/terrorist link in the late 1960s and early 1970s, in that smugglers often purchased weapons with drug profits and then sold the guns to black market sources; these in turn sold arms to Turkish terrorists. The drug trade in Turkey, however, was severely disrupted when Ankara banned all opium cultivation from 1972 to 1974 and arrested a large number of traffickers. These arrests were in conjunction with a French crackdown in the Marseille area on the Corsican gangs which refined the heroin made from Turkish opium.

Many Turkish traffickers were eager to resume their narcotics activities after being released from prison but lacked an opium source and ready access to heroin refining facilities and the U.S. market. Over the next few years, the Turkish traffickers developed opium supply sources in Southwest Asia and set up heroin laboratories in remote southeastern Turkey, and concentrate on supplying Western Europe.

Lebanon/Syria

Lebanon remains a primary source of hashish in the Middle East, and there are reports that heroin as well as hashish is being trafficked by Lebanese and Syrian nationals, including reports of heroin trafficking through areas of Lebanon controlled by Syrian military units. The continuing civil strife in Lebanon since 1975 has further reduced central government authority in the drug-producing Bekka Valley, stimulating both cannabis production and heroin trafficking. Various Lebanese factions have reportedly obtained financing from the drug trade. However, given the situation there, it has not been possible to estimate the extent of this trade.

SOUTHEAST ASIA

Burma/Thailand

The relationship between insurgency and narcotics trafficking is particularly close in Burma where most of the principal insurgent groups rely on heroin smuggling to finance their activities. These groups control or influence the main areas of opium production in northeastern Burma where the difficult terrain and a shortgage of modern military equipment have prevented the Burmese government from establishing its authority. The insurgents range from ideological revolutionaries like the Burmese Communist Party (BCP) to ethnic separatists like the Kachin Independence Organization (KIO), and profit-oriented "opium warlords" such as the so-called Shan United Army (SUA).

Whatever their professed objectives, these three groups are heavily involved in the production, transport or sale of heroin (other groups tax the trade in their areas, such as the Karens, but are not involved in producing or transporting heroin). The BCP controls areas producing the bulk of the Burmese opium crop from which it receives a substantial share in the form of taxes or forced deliveries levied on farmers. It has also recently begun to establish refineries to convert opium into heroin, and to engage in direct sales of refined opiates to middlemen. The SUA dominates the shipment of opium to the Thai-Burma border area where SUA controlled and independent refineries process most of the heroin produced in Burma. Competition from among these and other groups for dominance of the lucrative narcotics trade generates frequent armed conflict as well as shifting alliances of convenience which keep intra-insurgent relations in a constant state of flux.

For many years, the Burmese government has been waging a determined struggle to suppress narcotics trafficking in its territory, at heavy cost in material resources and in the lives of its soldiers. Despite very real achievements through annual campaigns to destroy crops in the field, to interdict shipments and destroy refineries, and frequent operations against traffickers' armies, decisive results are unlikely until the government possesses the means to establish effective control over the areas currently under insurgent influence.

The link between insurgency and narcotics is much weaker in Thailand. Until 1982, Burmese groups such as the SUA operated in Thai territory with relative impunity. However, in January 1982, the government of Prime Minister Prem drove the SUA from their headquarters in northern Thailand, and initiated an ongoing series of military operations which have severely disrupted the activities of the SUA, the Chinese Irregular Forces, and other Burmese traffickers on the Thai side of the border. The only indigenous Thai insurgent group of any consequence, the Communist Party of Thailand (CPT) is reportedly ready to engage in narcotics trafficking but, by the end of 1982, had been largely neutralized by Thai security forces.

End
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Senator **Denton**. Thank you, Mr. Taylor.

Mr. Westrate.

STATEMENT OF DAVID L. WESTRATE, DEPUTY ASSISTANT ADMINISTRATOR, DRUG ENFORCEMENT ADMINISTRATION, DEPARTMENT OF JUSTICE

Mr. **Westrate**. Thank you.

If I might, I also would like to read a brief opening statement.

I, too, am pleased to appear before this joint hearing to present hearing——

Senator **Denton**. Would you pull the microphone a little closer to you, please, sir.

Mr. **Westrate**. Surely.

I am pleased to appear before you to present testimony on the relationship between terrorism and drug trafficking. The terrorist/insurgent link to drug trafficking and the increasing use of terrorist tactics by drug trafficking organizations are matters of serious concern to the Drug Enforcement Administration.

The mission of the Drug Enforcement Administration is to combat international drug trafficking and reduce the availability of illegal drugs in the United States.

Terrorism is not the primary focus of DEA operations. However, we are acutely aware of the threat terrorism poses to the United States, and we aggressively pursue drug-related terrorist information.

Senator **Trible**. Mr. Westrate, you are going to simply have to talk closer into the microphone.

Mr. **Westrate**. Yes, sir.

As we have testified on previous occasions——

Senator **Trible**. That is much better. Thank you.

Mr. **Westrate** [continuing]. Various terrorist and insurgent groups are either directly or indirectly involved in drug trafficking. Beginning in the 1970's, many of these groups began to generate funds through drug-related activities. This trend is especially prevalent in drug source countries.

To the best of our knowledge, however, no U.S.-based terrorist groups are involved in drug trafficking.

To put this drug-related terrorism and violence problem into perspective, I would first like to highlight examples of terrorist insurgent organizations in various regions that we know are involved in drug-related activities.

I will then discuss a situation of heightened concern to DEA, that is, the issue of increasing use of terroristic tactics by drug trafficking organizations to achieve their own limited political goals.

It has become apparent to DEA that, as we become more successful in combating the drug trade, the level of violence and the threats of violence have increased. Moreover, both the terrorists and the traffickers have immeasurably increased the level of anarchy and lethalness through the acquisition of automatic weapons, such as Uzis and other high-firepower armaments. Not only does this endanger DEA and other U.S. employees in these countries, it also contributes to the destabilization of lawful governments.

Our most revealing examples, based on DEA investigative activities, of terrorist/insurgent involvement in drug trafficking are in drug source countries, such as Colombia, in Latin America, and Burma in the Golden Triangle.

Within the last 10 years, DEA has received information on the involvement of several Colombia terrorist insurgent groups in the drug trade. The two groups most predominantly involved in the drug trafficking are the Revolutionary Armed Forces of Colombia, commonly referred to as the FARC, and the terrorist group Nineteenth of April Movement, or the M-19.

The FARC is the armed wing of the Colombian Communist Party and is the oldest, largest, best armed, and best disciplined insurgent group in Colombia. The FARC operates through approximately 25 fronts. Almost half of these fronts are based in coca- and cannabis-growing areas. The FARC cultivates some coca, but derives more profit by collecting protection money from drug growers and traffickers.

The traffickers will also sometimes furnish arms and ammunition.

In return, FARC units protect drug growing and trafficking areas, such as airfields, and provide a warning network for the traffickers.

Whenever drug traffickers and FARC units operate in the same area, it is likely that a cooperative agreement has been reached between the two groups.

DEA also has received various reports of the M-19 extorting money from drug growers and drug traffickers, along with cultivating drugs.

In DEA's most significant investigation of the arms/drug connection, the M-19 was identified as a recipient of arms from Cuba via the smuggling network of Colombian drug trafficker Jaime Guillot-Lara.

During the last 3 years, Peru has been plagued by violence from members of the Maoist-oriented group, Sendero Luminoso, or the Shining Path. Although DEA currently has no evidence to prove Sendero Luminoso is directly involved in the drug trade, it does appear to be using the drug issue as a critical factor in the formulation of its tactics.

Since many of the Indian peasants make their living from coca cultivation, the Sendero Luminoso has presented the anticoca issue as an example of the central government attempting to take away the livelihood of the Indian population. This creates a climate that may have encouraged attacks on several anticoca projects during 1984.

Halfway around the world, in Burma, the Burmese Communist Party, or the BCP, has been trying to exert control over the Shan State since Burma gained independence from the British in 1948. For years, the BCP was involved in the narcotics trade to some degree, such as taxing poppy-growing farmers. The BCP drug activity expanded greatly in the late 1970's. The BCP now produces heroin in its own refineries.

In the 1960's and 1970's, the Shan United Army, or the SUA, was an insurgent group, fighting for the independence of the Shan State. The SUA used profits from the heroin trade to finance its insurgency. The SUA is now primarily engaged in the drug trade for profit. It is the clearest example of an insurgent group that has become corrupted by drug profits and has lost its political zeal.

There is another issue I would like to discuss today which is related to terrorism, which I mentioned earlier: the increasing use of terrorist tactics by drug traffickers to attain limited political objectives.

Certain drug traffickers have adopted terrorist tactics to fight antidrug efforts. While these traffickers are not thought of as terrorists, by definition, their use of threats, violence, assassination, and kidnapping to dissuade a government from a strong drug-enforcement policy can certainly be characterized as terroristic.

These intensified, violent acts constitute attempts by drug traffickers to intimidate sovereign governments into weakening or abandoning their drug-control policies that have resulted in recent successes against international drug organizations. The intended aim of these threats is to alter the enforcement environment of our law-enforcement presence overseas and render us incapable of performing our foreign mission.

Since DEA has a significant presence in foreign countries, we are concerned that drug traffickers are increasingly resorting to violence to achieve their aims.

The use of these terrorist tactics is most evident in Colombia, where, just over 1 year ago, Colombian Minister of Justice Rodrigo Lara-Bonilla was assassinated in a Bogota street. Colombian traffickers have made many threats against the Government of Colombia, the U.S. presence in Colombia, and the Drug Enforcement Administration specifically.

Many of these threats have come from a major Colombian-cocaine violator, Carlos Lehder.

In a January 1985 radio interview, Lehder stated that if the extradition of Colombians was not stopped, he would have 500 Americans killed.

Lehder also said that he had established contacts with the M-19.

In a January 1985 interview shown on Spanish television, Lehder stated that cocaine is the atomic bomb for the revolution of Latin America to use against U.S. imperialism.

Traffickers, however, did not hesitate to follow up these threats with violence. In November 1984, a car bomb exploded outside the fence of the U.S. Embassy in Bogota, killing one Colombian woman.

In January 1985, a bomb exploded at the Meyer Institute, a language school in Bogota, owned by a U.S. citizen. Three Colombians were injured. These bombings are believed to be the work of drug traffickers.

DEA has recently received information from a number of sources that Colombian traffickers may attempt to attack DEA personnel and facilities in the United States.

In late April, an influential Colombian judge involved in the antidrug fight was gunned down. He was the eighth judge murdered this year. Significantly, Colombian judges do not just hear evidence. They are the primary investigators. Therefore, the assassination of a judge is a clear attempt to intimidate the legal system.

Nearly 24 judges have been murdered in the past 2 years.

Elsewhere in Latin America, in November 1984, DEA became aware of a plot by drug traffickers to assassinate the U.S. Ambassador to Bolivia. The traffickers were angered by the Ambassador's leadership role in drug suppression in Bolivia and Peru. Drug violators in Bolivia pose a threat to the stability of that government.

In Mexico, DEA special agent Enrique Camarena and a Mexican pilot were kidnapped and brutally murdered in an attempt to intimidate DEA into weakening our enforcement pressure there. These tactics did not work, but, rather, strengthened our resolve.

These terroristic tactics are not limited to Latin America. In Sicily, a number of prominent police, judicial, and other government officials investigating drug trafficking and traditional organized crime have been assassinated.

In Southeast Asia, DEA has recently received several threats against our personnel in Thailand.

The violent methods and planned effects of intimidation and fear used by drug traffickers are the same as those practiced by terrorists and are just as serious a threat to U.S. interests worldwide.

In summary, DEA believes that the relationship between drug trafficking and terrorism is expanding. While terrorists or insurgent groups are not a threat to established drug smuggling organizations and their operations, it is important to note that terrorists and insurgent groups do not need to compete with major trafficking organizations to obtain significant drug-related profits.

DEA believes that such subversive groups are beginning to acquire such profits which give them the potential to greatly increase the frequency and sophistication of their operations. This poses an even greater terrorism threat worldwide.

The emerging trend of using drug traffickers to support political aims represents a major change in the historical pattern of drug trafficking in which drug traffickers were only interested in profits. The expanded use of drug trafficking for political purposes has already had an effect on and could have far-reaching implications for drug law enforcement worldwide and U.S. foreign policy.

The rapidly expanding use of terrorist tactics by drug traffickers also indicates a significant change in tactics by some drug traffickers. In the wake of continued drug control and law enforcement success, especially in Latin America, the trafficking organizations have been disrupted and the traffickers are on the defensive. They have reacted not only with threats, but with the commission of terrorist acts.

This violence is an attempt by traffickers to intimidate DEA, the United States, and foreign governments and force a change in drug-control policy and inhibit effective law enforcement action.

Drug traffickers, with their vast financial resources and power, pose a significant threat to drug law-enforcement efforts. DEA considers this to be the most significant issue facing drug law enforcement today.

I thank you and would be pleased to answer any questions that you may have.

[Mr. Westrate's prepared statement follows:]

Prepared Statement of David L. Westrate

I AM PLEASED TO APPEAR BEFORE THIS JOINT HEARING TO PRESENT TESTIMONY ON THE RELATIONSHIP BETWEEN TERRORISM AND DRUG TRAFFICKING. THE TERRORIST/INSURGENT LINK TO DRUG TRAFFICKING AND THE INCREASING USE OF TERRORIST TACTICS BY DRUG TRAFFICKING ORGANIZATIONS ARE MATTERS OF SERIOUS CONCERN TO THE DRUG ENFORCEMENT ADMINISTRATION.

THE MISSION OF THE DRUG ENFORCEMENT ADMINISTRATION (DEA) IS TO COMBAT INTERNATIONAL DRUG TRAFFICKING AND REDUCE THE AVAILABILITY OF ILLEGAL DRUGS IN THE UNITED STATES. TERRORISM IS NOT THE PRIMARY FOCUS OF DEA OPERATIONS. HOWEVER, WE ARE ACUTELY AWARE OF THE THREAT TERRORISM POSES TO THE UNITED STATES AND WE AGGRESSIVELY PURSUE DRUG-RELATED TERRORIST INFORMATION.

AS WE HAVE TESTIFIED ON PREVIOUS OCCASIONS, VARIOUS TERRORIST AND INSURGENT GROUPS ARE EITHER DIRECTLY OR INDIRECTLY INVOLVED IN DRUG TRAFFICKING. BEGINNING IN THE 1970'S, MANY OF THESE GROUPS BEGAN TO GENERATE FUNDS THROUGH DRUG-RELATED ACTIVITIES. THIS TREND IS ESPECIALLY PREVALENT IN DRUG-SOURCE COUNTRIES. TO THE BEST OF OUR KNOWLEDGE, HOWEVER, NO U.S.-BASED TERRORIST GROUPS ARE INVOLVED IN DRUG TRAFFICKING.

To put this drug-related terrorism and violence problem into perspective, I would first like to highlight examples of terrorist/insurgent organizations in various regions that we know are involved in drug-related activities. I will then discuss a situation of heightened concern to DEA--the issue of the increasing use of terrorist tactics by drug trafficking organizations to achieve their own limited political goals whether it be the relaxation of enforcement efforts or the prevention of further extraditions. It has become apparent to DEA that as we become more successful in combating the drug trade, the level of violence and threats of violence have increased. Moreover, both the terrorists and the traffickers have immeasurably increased the level of anarchy and lethalness through the acquisition of automatic weapons such as Uzis and other high firepower armaments. Not only does this endanger DEA and other U.S. employees in these countries, it also contributes to the destabilization of lawful governments.

Our most revealing examples, based on DEA investigative activities, of terrorist/insurgent involvement in drug trafficking are in the drug-source countries such as Colombia in Latin America and Burma in the Golden Triangle.

Colombia is a major marijuana producer and a refinement and transshipment point for most of the world's cocaine. Colombia has been victimized by political violence for

THE LAST THIRTY YEARS. WITHIN THE LAST TEN YEARS, DEA HAS RECEIVED INFORMATION ON THE INVOLVEMENT OF SEVERAL COLOMBIAN TERRORIST/INSURGENT GROUPS IN THE DRUG TRADE. THE TWO GROUPS MOST PROMINENTLY INVOLVED WITH DRUG TRAFFICKING ARE THE REVOLUTIONARY ARMED FORCES OF COLOMBIA, COMMONLY REFERRED TO AS THE FARC, AND THE TERRORIST GROUP 19TH OF APRIL MOVEMENT, OR M-19.

THE FARC IS THE ARMED WING OF THE COLOMBIAN COMMUNIST PARTY AND IS THE OLDEST, LARGEST, BEST ARMED AND BEST DISCIPLINED INSURGENT GROUP IN COLOMBIA. THE FARC OPERATES THROUGH APPROXIMATELY 25 FRONTS. ALMOST HALF OF THESE FRONTS ARE BASED IN COCA AND CANNABIS GROWING AREAS. THE FARC CULTIVATES SOME COCA BUT DERIVES MORE PROFIT BY COLLECTING PROTECTION MONEY FROM DRUG GROWERS AND TRAFFICKERS. THE TRAFFICKERS WILL SOMETIMES ALSO FURNISH ARMS AND AMMUNITION. IN RETURN, FARC UNITS PROTECT DRUG GROWING AND TRAFFICKING AREAS SUCH AS AIRFIELDS, AND PROVIDE A WARNING NETWORK FOR THE TRAFFICKERS.

IN MARCH 1984, COLOMBIAN AUTHORITIES RAIDED A GROUP OF COCAINE LABORATORIES KNOWN AS TRANQUILANDIA AND SEIZED TEN TONS OF COCAINE AND COCAINE BASE. WHILE LANDING AT THE clandestine airstrip, the authorities engaged in a firefight with approximately 30 people in fatigue type uniforms. These people are believed to be members of the FARC. Follow-up operations in the remote Llanos area of Colombia uncovered a FARC camp within one-half mile of a traffickers' cocaine laboratory site. Whenever drug traffickers and FARC units operate in the same area, it is likely that a cooperative agreement has been reached between the two groups.

DEA has received various reports of the M-19 extorting money from drug growers and traffickers, along with cultivating drugs. In DEA's most significant investigation of the arms-drugs connection, the M-19 was identified as a recipient of arms from Cuba via the smuggling network of Colombian drug trafficker Jaime GUILLOT-Lara. GUILLOT had an arrangement with several high-level officials of the Cuban Government in which the Cubans provided a safe haven for GUILLOT's drug smuggling vessels from Colombia destined for the United States. In return, GUILLOT agreed to pay the Cubans for this facilitation.

GUILLOT also assisted the Cubans by using his ships to smuggle arms to the M-19 in Colombia. In November 1981, one of GUILLOT's ships, the KARINA, offloaded a large quantity of weapons onto another GUILLOT ship, the MONARCA. Shortly after this, the KARINA was sunk during a battle with the Colombian Navy and went down with an estimated 100 tons of weapons on board. Ten days later the MONARCA was seized by Colombian authorities after it successfully delivered its weapons cargo to the M-19. In November 1982, GUILLOT, four high-ranking Cuban officials and nine others were indicted in Miami for violations of Federal drug laws. GUILLOT and the four Cuban officials are still fugitives.

Two other Colombian groups, the National Liberation Army (ELN) and the Popular Liberation Army (EPL) have been the subjects of reports asserting that they "tax" drug growers and traffickers in areas of ELN or EPL operation.

During the last three years Peru has been plagued by violence from members of the Sendero Luminoso or Shining Path. Although DEA currently has no evidence to prove Sendero Luminoso is directly involved in the drug trade, it does appear to be using the drug issue as a critical factor in the formulation of its tactics. During 1984, several anti-coca projects, including a U.S.-supported crop substitution program, were attacked by armed mobs, resulting in serious injury and several deaths. These attacks are likely the result of drug traffickers inciting the local peasants who stand to lose their livelihood if coca production is halted.

Sendero Luminoso's ideology is to create a rural-based revolution that will rid the predominantly Indian population of the foreign and "imperialistic" influences of the United States and of the non-Indian governing classes. Many of the Indian peasants make their living from coca cultivation and the Sendero Luminoso has presented the anti-coca issue as an example of the central government attempting to take away the livelihood of the Indian population. This creates a climate that may be encouraging the attacks on anti-coca projects.

Halfway around the world in Burma, the Burmese Communist Party (BCP) has been trying to exert its control over the Shan State since Burma gained independence from the British in 1948. The Shan State is the primary opium poppy cultivation area in the Golden Triangle. For years the BCP was involved in the narcotics trade to some degree, such as taxing poppy growing farmers. BCP drug activity expanded greatly in the late 70's. The BCP now produces heroin in its own refineries.

In the 1960's and 70's the Shan United Army (SUA) was an insurgent group, fighting for the independence of the Shan State. The SUA used profits from the heroin trade to

FINANCE ITS INSURGENCY. IT NOW FOCUSES ON OBTAINING PROFITS FROM THE PRODUCTION, SMUGGLING, AND SALE OF HEROIN AND HEROIN BASE. THE SUA IS NOW PRIMARILY ENGAGED IN THE DRUG TRADE FOR PROFIT. IT IS THE CLEAREST EXAMPLE OF AN INSURGENT GROUP THAT HAS BEEN CORRUPTED BY DRUG PROFITS AND HAS LOST ITS POLITICAL ZEAL.

ANOTHER HISTORICAL EXAMPLE OF THE RELATIONSHIP BETWEEN TRAFFICKERS AND TERRORISTS INVOLVES NOUBAR SOFOYAN, A DOCUMENTED HEROIN AND HASHISH TRAFFICKER CONNECTED WITH THE JUSTICE COMMANDOS OF THE ARMENIAN GENOCIDE, ONE OF SEVERAL ARMENIAN TERRORISTS GROUPS THAT ARE AVOWED ENEMIES OF THE GOVERNMENT OF TURKEY. SOFOYAN WAS ARRESTED IN GREECE AND SUBSEQUENTLY RELEASED TO LEBANESE AUTHORITIES. HE REMAINS A FUGITIVE AS THE SUBJECT OF A 1980 DEA INVESTIGATION AND HIS CURRENT WHEREABOUTS ARE UNKNOWN.

THERE IS ANOTHER ISSUE I WOULD LIKE TO DISCUSS TODAY WHICH IS RELATED TO TERRORISM AND WHICH I MENTIONED EARLIER--THE INCREASING USE OF TERRORIST TACTICS BY DRUG TRAFFICKERS TO ATTAIN LIMITED POLITICAL OBJECTIVES. THIS NEW DEVELOPMENT POSES A SIGNIFICANT THREAT TO U.S. INTERESTS AND TO THE STABILITY OF ELECTED GOVERNMENTS IN DRUG-SOURCE COUNTRIES. DRUG LAW ENFORCEMENT HAS ALWAYS BEEN A HIGH RISK ACTIVITY

BUT THIS ESCALATED VIOLENCE GOES FAR BEYOND THE NORMAL ANTICIPATED DANGER INVOLVED IN DRUG INVESTIGATIONS AND ARRESTS.

CERTAIN DRUG TRAFFICKERS HAVE ADOPTED TERRORIST TACTICS TO FIGHT ANTI-DRUG EFFORTS. WHILE THESE TRAFFICKERS ARE NOT THOUGHT OF AS TERRORISTS BY DEFINITION, THEIR USE OF THREATS, VIOLENCE, ASSASSINATION AND KIDNAPPING TO DISSUADE A GOVERNMENT FROM A STRONG DRUG LAW ENFORCEMENT POLICY CAN CERTAINLY BE CHARACTERIZED AS TERRORISTIC. THESE INTENSIFIED VIOLENT ACTS CONSTITUTE ATTEMPTS BY DRUG TRAFFICKERS TO INTIMIDATE SOVEREIGN GOVERNMENTS INTO WEAKENING OR ABANDONING THEIR DRUG CONTROL POLICIES THAT HAVE RESULTED IN RECENT SUCCESSES AGAINST INTERNATIONAL DRUG ORGANIZATIONS. THE INTENDED AIM OF THESE THREATS IS TO ALTER THE ENFORCEMENT ENVIRONMENT OF OUR LAW ENFORCEMENT PRESENCE OVERSEAS AND RENDER US INCAPABLE OF PERFORMING OUR FOREIGN MISSION. SINCE DEA HAS A SIGNIFICANT PRESENCE IN FOREIGN COUNTRIES, WE ARE CONCERNED THAT DRUG TRAFFICKERS ARE INCREASINGLY RESORTING TO VIOLENCE TO ACHIEVE THEIR AIMS.

THE USE OF THESE TERRORIST TACTICS IS MOST EVIDENT IN COLOMBIA WHERE JUST OVER ONE YEAR AGO COLOMBIAN MINISTER OF JUSTICE RODRIGO LARA-BONILLA WAS ASSASSINATED ON A BOGOTA

STREET. IN AN ATTEMPT TO HALT THE EXTRADITION OF COLOMBIAN DRUG TRAFFICKERS TO THE UNITED STATES, COLOMBIAN TRAFFICKERS HAVE MADE MANY THREATS AGAINST THE GOVERNMENT OF COLOMBIA, THE UNITED STATES PRESENCE IN COLOMBIA, AND THE DRUG ENFORCEMENT ADMINISTRATION SPECIFICALLY. MANY OF THESE THREATS HAVE COME FROM MAJOR COLOMBIAN COCAINE VIOLATOR CARLOS LEHDER. AN OUTSPOKEN OPPONENT OF EXTRADITION, LEHDER STATED IN A JANUARY 1985 RADIO INTERVIEW THAT IF THE EXTRADITION OF COLOMBIANS WAS NOT STOPPED, HE WOULD HAVE 500 AMERICANS KILLED. LEHDER SAID HE HAD ESTABLISHED CONTACTS WITH THE M-19 AS WELL AS ELEMENTS OF THE POLICE AND ARMY TO FORM A FORCE OF 500,000 TO DEFEND THE NATIONAL SOVEREIGNTY. IN A JANUARY 1985 INTERVIEW SHOWN ON SPANISH TELEVISION, LEHDER STATED THAT, ALTHOUGH HE WAS NOT INVOLVED IN THE ASSASSINATION OF MINISTER LARA, HE COULD JUSTIFY THE KILLING. LEHDER ALSO STATED THAT COCAINE IS THE "ATOMIC BOMB" FOR THE REVOLUTION OF LATIN AMERICA TO USE AGAINST U.S. IMPERIALISM.

TRAFFICKERS HAVE NOT HESITATED TO FOLLOW UP THEIR THREATS WITH VIOLENCE. IN NOVEMBER 1984, A CAR BOMB EXPLODED OUTSIDE THE FENCE OF THE U.S. EMBASSY IN BOGOTA, KILLING ONE COLOMBIAN WOMAN. IN JANUARY 1985, A BOMB EXPLODED AT THE MEYER INSTITUTE, A LANGUAGE SCHOOL IN BOGOTA OWNED BY A U.S. CITIZEN. THREE COLOMBIANS WERE INJURED.

THESE BOMBINGS ARE BELIEVED TO BE THE WORK OF DRUG TRAFFICKERS. DEA HAS RECENTLY RECEIVED INFORMATION FROM A NUMBER OF SOURCES THAT COLOMBIAN TRAFFICKERS MAY ATTEMPT TO ATTACK DEA PERSONNEL AND FACILITIES IN THE UNITED STATES.

THERE ARE NUMEROUS OTHER EXAMPLES OF DRUG-RELATED VIOLENCE. ON MARCH 16, THE SPANISH EMBASSY CHANCERY IN BOGOTA WAS FIRED ON BY SIX MEN TRAVELING IN A JEEP. THIS ATTACK WAS BELIEVED TO BE IN RETALIATION FOR CONTINUED INCARCERATION IN SPAIN OF MAJOR COLOMBIAN COCAINE VIOLATORS WHOM THE UNITED STATES IS SEEKING TO EXTRADITE. IN LATE APRIL, AN INFLUENTIAL COLOMBIAN JUDGE INVOLVED IN THE ANTI-DRUG FIGHT WAS GUNNED DOWN. HE WAS THE EIGHTH JUDGE MURDERED THIS YEAR. SIGNIFICANTLY, JUDGES IN COLOMBIA ARE THE PRIMARY INVESTIGATING OFFICIALS IN DRUG CASES. THEREFORE, THE ASSASSINATION OF A JUDGE IS A CLEAR ATTEMPT TO NOT ONLY INTIMIDATE THE JUDICIAL PROCESS BUT TO SUBVENT THE ENTIRE LEGAL SYSTEM. NEARLY 24 JUDGES HAVE BEEN MURDERED IN THE PAST TWO YEARS.

ELSEWHERE IN LATIN AMERICA, DEA BECAME AWARE OF A PLOT BY DRUG TRAFFICKERS TO ASSASSINATE THE UNITED STATES AMBASSADOR TO BOLIVIA LAST NOVEMBER. THE TRAFFICKERS WERE ANGERED BY THE AMBASSADOR'S LEADERSHIP ROLE IN DRUG SUPPRESSION IN BOLIVIA AND PERU. DRUG VIOLATORS IN BOLIVIA POSE A THREAT

TO THE STABILITY OF THAT GOVERNMENT. VIOLATORS HAVE HELPED TO ARM CAMPESINOS IN THE PRINCIPAL COCA GROWING REGIONS, AND HELPED TO ENCOURAGE RESISTANCE TO CENTRAL GOVERNMENT AUTHORITY AND ANTI-DRUG EFFORTS.

VIOLENCE ALSO IS USED TO SHAPE PUBLIC OPINION. FOR EXAMPLE, A COLOMBIAN PUBLIC AFFAIRS NETWORK AIRED A SHOW IN JANUARY IN WHICH PANELISTS DEBATED EXTRADITION. FIVE OF THE PANELIST OPPOSED EXTRADITION AND ANY ONE EXPRESSED MODERATE SUPPORT. THIS LACK OF SUPPORT FOR EXTRADITION IS NOT SURPRISING SINCE A LEGAL ADVISOR TO THE JUSTICE MINISTRY WAS MURDER AFTER MAKING A PASSIONATE PLEA FOR TREATY ON THE SAME TV PROGRAM A YEAR EARLIER.

IN MEXICO, DEA SPECIAL AGENT ENRIQUE CAMARENA AND A MEXICAN PILOT WERE KIDNAPPED AND BRUTALLY MURDERED IN AN ATTEMPT TO INTIMIDATE DEA INTO WEAKENING OUR ENFORCEMENT PRESSURE THERE. THESE TACTICS DID NOT WORK, BUT RATHER STRENGTHENED OUR RESOLVE. THREE MAJOR TRAFFICKERS BELIEVED TO BE INVOLVED IN THE HEINIOUS CRIME HAVE BEEN ARRESTED.

THESE TERRORIST TACTICS ARE NOT LIMITED TO LATIN AMERICA. IN SICILY, A NUMBER OF PROMINENT POLICE, JUDICIAL AND OTHER GOVERNMENT OFFICIALS INVESTIGATING DRUG TRAFFICKING AND TRADITIONAL ORGANIZED CRIME HAVE BEEN ASSASSINATED. IN THE MOST RECENT ATTACKS, A CAR BOMB IN THE SICILIAN CITY OF

TRAPANI WAS TARGETED AGAINST MAGISTRATE CARLO-PALERMO WHO RECENTLY OVERSAW AN INVESTIGATION INTO A LARGE DRUGS AND ARMS SMUGGLING RING IN TRENTO. THE BOMB INJURED JUDGE PALERMO AND FIVE BODYGUARDS. IT KILLED A 30-YEAR-OLD WOMAN AND HER TWO SIX-YEAR-OLD TWIN BOYS. ON APRIL 20, A POWERFUL BOMB DESTROYED THE SUMMER HOME OF THE CHRISTIAN DEMOCRATIC NOMINEE FOR MAYOR OF PALERMO, WHO HAD IDENTIFIED A NUMBER OF PROMINENT SICILIAN POLITICIANS AS MEMBERS OF SICILIAN ORGANIZED CRIME. IN SOUTHEAST ASIA, DEA HAS RECENTLY RECEIVED SEVERAL THREATS AGAINST PERSONNEL IN THAILAND.

WHILE THE ABOVE EVENTS WERE NOT CARRIED OUT BY WHAT WE TRADITIONALLY DEFINE AS TERRORIST GROUPS, THE VIOLENT METHODS AND PLANNED EFFECTS OF INTIMIDATION AND FEAR ARE THE SAME AS THOSE PRACTICED BY TERRORISTS AND ARE JUST AS SERIOUS A THREAT TO U.S. INTERESTS WORLDWIDE.

IN SUMMARY, DEA BELIEVES THAT THE RELATIONSHIP BETWEEN DRUG TRAFFICKING AND TERRORISM IS EXPANDING. WHILE TERRORIST OR INSURGENT GROUPS ARE NOT A THREAT TO ESTABLISHED DRUG SMUGGLING ORGANIZATIONS AND THEIR OPERATIONS, IT IS IMPORTANT TO NOTE THAT TERRORIST AND INSURGENT GROUPS DO NOT NEED TO COMPETE WITH THE MAJOR TRAFFICKING ORGANIZATIONS TO OBTAIN SIGNIFICANT DRUG-RELATED PROFITS. DEA BELIEVES THAT

SUBVERSIVE GROUPS ARE BEGINNING TO ACQUIRE SUCH PROFITS WHICH GIVES THEM THE POTENTIAL TO GREATLY INCREASE THE FREQUENCY AND SOPHISTICATION OF THEIR OPERATIONS. THIS POSES AN EVEN GREATER TERRORISM THREAT WORLDWIDE.

IN THE LAST SEVERAL YEARS DEA HAS RECEIVED DRUG-RELATED INFORMATION ON RURAL INSURGENTS, URBAN TERRORISTS, LIBERATION MOVEMENTS, ARMS TRAFFICKERS, LEFT AND RIGHT WING POLITICAL GROUPS AND HIGH-LEVEL OFFICIALS ACTING ON BEHALF OF THEIR GOVERNMENTS. THIS EMERGING TREND OF USING DRUG TRAFFICKING TO SUPPORT POLITICAL ENDS REPRESENTS A MAJOR CHANGE IN THE HISTORICAL PATTERN OF DRUG TRAFFICKING IN WHICH DRUG TRAFFICKERS WERE ONLY INTERESTED IN PROFITS. DURING THE 1980'S, POLITICAL ACTIVISTS, SUBVERSIVES AND EVEN SOME HIGH-LEVEL GOVERNMENT OFFICIALS HAVE BECOME INVOLVED IN DRUG TRAFFICKING TO FINANCE POLITICAL OBJECTIVES. THIS EXPANDING USE OF DRUG TRAFFICKING FOR POLITICAL PURPOSES HAS ALREADY HAD AN EFFECT ON, AND COULD HAVE FAR-REACHING IMPLICATIONS FOR, DRUG LAW ENFORCEMENT WORLDWIDE AND U.S. FOREIGN POLICY.

THE RAPIDILY EXPANDED USE OF TERRORIST TACTICS BY DRUG TRAFFICKERS ALSO INDICATES A SIGNIFICANT CHANGE IN TACTICS BY SOME DRUG TRAFFICKERS. PREVIOUSLY, TRAFFICKERS VIEWED LAW ENFORCEMENT SUCCESSES AS PART OF THE COST OF DOING BUSINESS AND DID NOT REACT VIOLENTLY TO AVOID PROVOKING

GOVERNMENTS INTO MORE SERIOUS ACTION. NOW, IN THE WAKE OF CONTINUED DRUG CONTROL AND LAW ENFORCEMENT SUCCESS, ESPECIALLY IN LATIN AMERICA, THE TRAFFICKING ORGANIZATIONS HAVE BEEN DISRUPTED AND THE TRAFFICKERS ARE ON THE DEFENSIVE. THEY HAVE REACTED NOT ONLY WITH THREATS BUT WITH THE COMMISSION OF TERORIST ACTS. THIS VIOLENCE IS AN ATTEMPT BY TRAFFICKERS TO INTIMIDATE DEA, THE UNITED STATES, AND FOREIGN GOVERNMENTS AND FORCE A CHANGE IN DRUG CONTROL POLICY AND INHIBIT EFFECTIVE LAW ENFORCEMENT ACTION. DRUG TRAFFICKERS, WITH THEIR VAST FINANCIAL RESOURCES AND POWER, POSE A SIGNIFICANT THREAT TO DRUG LAW ENFORCEMENT EFFORTS. DEA CONSIDERS THIS TO BE THE MOST SIGNIFICANT ISSUE FACING DRUG LAW ENFORCEMENT TODAY.

I WOULD BE PLEASED TO ANSWER ANY QUESTIONS THE COMMITTEES MAY HAVE.

Senator DENTON. Senator Trible, I would defer to you, if you wish.

Senator TRIBLE. No; you go ahead.

Senator DENTON. Well, that is certainly a comprehensive exposition of the relationship between terrorism and drug traffic. It amplifies that which we heard yesterday.

Mr. Taylor, many countries to which we provide aid still produce hundreds, even thousands, of tons of drugs, most of which head for our shores. Bolivia last year grew enough coca leaf for 98 tons of cocaine, and has no eradication program. That country still gets $56 million in U.S. aid. The question arises as to their government's earnestness against the drug-producing program and exportation program. Jamaica produced 2,500 tons of marijuana, much of which they tried to bring here. They have no eradication program, yet they get $134 million in U.S. aid. There are others, too.

I have seen cases made on some television programs where they say Jamaica is a poor country so it ought to be permitted to do that. That is not a widely held opinion. That is one point of view.

Are the laws requiring cutoff of aid for drug producing countries being applied?

Mr. TAYLOR. Senator Denton, you have raised a very complex and very important question. It is one that we have dealt with in several hearings already this year and one on which Secretary Shultz has spoken, and also Assistant Secretary Jon Thomas. We take very seriously the laws of the United States, and we are especially cognizant of this law, long favored by Congress, which says that when we find evidence that governments are not taking adequate measures to control production of narcotics, or trafficking, then we should consider the suspension of both bilateral and multilateral aid.

I will quote both Secretary Shultz and Assistant Secretary Thomas in saying—and this is very much in regard to the two countries you mentioned, Bolivia and Jamaica—that we do not believe a suspension of aid at this time would achieve the results that we want. We do not believe that by suspending aid we would actually have more narcotics eradicated and more seizures.

If I could dwell for a second on Bolivia, I just received in the cable traffic this morning a new listing of the Bolivian Cabinet. If my memory serves me correctly, this is the fifth or sixth Cabinet in a little over 2 years. It is a government with an inflation rate running over 4,000 percent. It does not have what anyone can recognize as a national budget. It has what Senator Hawkins has sometimes called the lack of a government.

We recognize its frailties.

At the same time, we would say that twice in the last year, the enforcement groups that Congress has appropriated funds to support have moved in to the coca-growing areas. At the present time, there is a security established there which enables us to continue our plans for the eradication. In a major review we had this past week, we emphasized again with our Embassy, as they already believe, the importance of starting that eradication before the present government finishes its term of office in August. Otherwise, we will face what happens in most governments, a period of inactivity while a government finds its new paths.

We are frustrated by Bolivia, just as you are. But we have seen in the last months some rather sizable seizures, over 1 ton of cocaine in one seizure alone. They have taken some actions against a major trafficker, Robert Suarez, and his facilities. So there is a mixed picture. It is not totally negative.

Moving on to Jamaica, as you know better than I, Jamaica represents a substantial foreign policy interest to our government in that we have not only a democratically elected government, but one that is very compatible with our own world views. We have done our best to support that government through a variety of programs.

Narcotics has not been ignored. It has been discussed at the Presidential level, with Assistant Secretaries and their subordinates. We are pleased that in the period of December to January, we signed three programs with the Government of Jamaica which are resulting in an enhancement of both crop control and drug enforcement programs.

We were very frustrated that it took that long to reach these agreements. But we do not believe that now is the time to exercise sanctions against the Government of Jamaica when it is now initiating the kinds of control programs that are in both our interests.

Thank you.

Senator DENTON. Would you address the situation in Mexico, where we had the appalling incident. Give fair deference to the fact that they have lost hundreds, if not thousands, of their own enforcement personnel trying to do something about that drug problem. What is your State Department outlook toward that country.

Mr. TAYLOR. We are trying to turn a tragedy into an opportunity. I think the Mexican Government shares that attitude.

The Enrique Camarena case has opened up a lot of opportunities to take a look at Mexico's drug enforcement programs. The government of President de la Madrid is pursuing vigorously a complete look at its narcotics program. Ambassador Gavin and our mission there are well coordinated in working with the de la Madrid government and the agencies involved in the drug program.

As I mentioned in my testimony, there has already occurred and very much with DEA's assistance, the arrest of three major drug trafficker kingpins.

We are looking for ways not just to improve the Mexican performance against major traffickers, which has been rather dismal in the last years, but to improve the efficiency and effectiveness of the drug control programs to eradicate cannabis and opium poppy.

As you know, our taxpayers have spent some $120 to $130 million and the Mexican Government much more, since the mid 1970's, in an aerial eradication program against cannabis and opium poppy. These programs have a way in every country of achieving a given level of acceptable efficiency and then if not well tended, they become less effective and affected by corruption. Then people need to reopen all issues concerning the programs and try to reintroduce rigor.

We are doing that now.

Thank you.

Senator **Denton**. We have many very firm suggestions about relatively simple solutions. I do not share the belief that simple solutions can be found. But I think we should continue to develop an estimate of the situation, aimed to our interests, the objectives and policies that we should pursue, and I hope we do this as a nation.

Mr. Westrate, recently there have been simplistic solutions offered that what we need is a massive military infusion into the surveillance of drug traffic not only in, say, the Gulf of Mexico, or the Caribbean, but also in the Mediterranean and so on. That simplistic approach has been recommended strongly, as recently as last night on a nationally broadcast television program.

Do you know what the DEA's reaction to that would be?

Mr. **Westrate**. Yes; Senator Denton.

Setting aside for a moment the issue of the degradation of the military readiness issue by diverting resources, which is a judgment someone else would have to more appropriately comment on, more interdiction resources are certainly helpful. I think what we have to keep in mind here, though, is the rapid ability of trafficking organizations to change tactics, to change smuggling routes, smuggling methods, looking at such things as the increase in domestic cultivation of marijuana as a replacement for the loss of foreign production, particularly as eradication programs take effect in foreign source countries.

So we cannot put all our eggs in one basket, so to speak, and think that if we put massive interdiction forces into place that we are going to solve the problem. The solutions we must continue to focus most of our energies on, while still building our capability in the other areas, is crop reduction overseas and domestically, wherever the production is, and, second, demand reduction.

Our law enforcement efforts, including interdiction, must be focused on removing as much as we can from the traffic and utilizing those opportunities to identify major trafficking organizations for arrest and prosecution.

So, while yes, more interdiction would certainly be helpful, it would be helpful until the traffickers will shift, and we will have to readjust again our resources in terms of combatting them.

Obviously, the history of the past 5 to 10 years of smuggling through the Caribbean and across our southern borders would certainly indicate that our interdiction capability could stand enhancing.

Senator **Denton**. My 10 minutes are up.

Cochairman Trible, are there any questions?

Senator **Trible**. Let me ask just a few questions and then yield to my colleagues on the committee.

Mr. Taylor, in your statement, you made reference to the annual United Nations International Narcotics Control Board report, which stated that "the very security of some states is threatened."

You indicated that this is a correct statement. What states are we talking about there?

Mr. **Taylor**. We considered it courageous of the United Nations to go that far. They did not list the states in their report. So I would have to speculate as to what states those are.

Senator **Trible**. Well, let's give you an opportunity to speak and be courageous, Mr. Taylor. What states would you identify under that rubric?

Mr. **Taylor**. I think the states which would come to our minds would certainly be countries like Bolivia. Peru is not seriously threatened at the present moment, but insurgency and narcotics-related opposition is very much an emerging threat to the democratic fabric there. Until 1984, I would have put Colombia in that situation. But I think the killing of the justice minister escalated that government's response and they are now waging a very strong counter attack. Jamaica is a country where the drug trade is so pervasive that there has been a reluctance by any government in that country to take on the drug trade in full measure. So I would include Jamaica as a country where drugs can threaten the stability of the government.

I think that would be my list.

Senator **Trible**. Thank you, Mr. Taylor.

Let me ask you one other question, if I may.

There have been communications between our government and the Government of Bulgaria at various levels in which we have identified known narcotics traffickers operating inside that country. I would like to know what progress, if any, has been shown in meeting those problems, and how we are going about monitoring the activities of the Bulgarian Government.

Mr. **Taylor**. I will attempt to reply to that.

Senator **Trible**. Either of you may respond.

Mr. **Taylor**. This is a diplomatic and a law enforcement question. I think, very appropriately, you have identified the problem.

There is one aspect, and that is the drugs moving from the Middle East, across the Balkans, to Europe and the United States, and we believe that the Bulgarians have improved their effectiveness because they have made some seizures. They are showing some sincerity in controlling what crosses their borders.

But your specific question talked about drug traffickers within their borders. This is the major area in which we, and DEA, have made efforts, and Ambassador Levitsky is continuing on this.

We believe that traffickers have conducted operations and made deals from Bulgarian soil, and that, at a minimum, Bulgarian Government organizations have condoned this activity.

We have vigorously engaged the Bulgarian Government. We have achieved now a direct Drug Enforcement Administration to Ministry of Interior contact, and we are discussing ways of regularizing that kind of exchange.

So, in sum, I think it is a mixed picture.

On the internal scene, we still need much more progress. On the external aspect—the transiting of Bulgaria of Bulgaria's borders—we have seen some progress.

Senator **Trible**. Thank you.

Mr. Westrate.

Mr. **Westrate**. Senator Trible, I would say on that issue, of course, that our normal intelligence operations are in place and, hopefully, would be effective, and that would include the results of investigative activities, not only in Bulgaria and other places, but sources of information that we develop, and so forth. This, of course, is one of the ways the KINTEX situation was disclosed in the first place.

We have not received any recent information indicating continuing activity specifically. We did in January visit with the Bulgarian officials in a law enforcement type of meeting. We requested certain information and exchanged information. In April of this year, we received a response to those inquiries, and, of course, those responses are a part of ongoing investigations. So I cannot get into exactly what they were.

But I can say that we did receive a response which we consider to be a favorable sign. We will continue this dialog and continue to try and work toward this law enforcement exchange with the Bulgarians and the DEA personnel in Europe.

Senator **Trible**. I have one final question, Mr. Westrate.

What steps should be taken to strengthen your hand in dealing with this problem of drug trafficking?

Mr. **Westrate**. Well, I would like to comment on the legislation that was passed last year, with the revisions of the various criminal statutes.

That has already proven to be quite effective, and I think any legislation that strengthens our hand in that regard is useful. Much progress was made with that legislation.

On the other hand, I think the thing that we need the most, aside from questions of resources, is efforts by everyone to increase the political will of governments and individuals to do something about the drug problem. That can be accomplished if we continue to work in that direction, both in the United States and overseas.

All the resources in the world will not solve this problem so long as the world does not collectively decide that it is time to do something about it.

I perceive in recent years a significant change in attitude, not only on the part of legislative bodies and governments, but also on the part of the public. This is what we have to pursue very aggressively if we are going to make major progress and not just the slow progress that we are used to through law enforcement efforts and diplomacy.

Senator **Trible**. Thank you, gentlemen.

Senator Pell.

Senator **Pell**. Thank you very much, Mr. Chairman.

I really just have two questions.

One is what percentage of the drug trafficking into the United States is connected directly with terrorism, as opposed to that which is connected just with Mafia and with normal for-profit criminal enterprises?

Mr. **Taylor**. I will make a stab at that.

One of the problems we discussed earlier in the statements I made was the definition of terrorism.

If we accept the broader definition, which means the use of sophisticated violence to sustain your narcotics trafficking activities, the kind we have seen in Mexico recently, then it would be a large amount of the traffic enjoys the benefits of this kind of terrorism.

But if we used the more traditional or limited definition, which means terrorism that has a political agenda, in other words, tied in with insurgencies, then I believe that my DEA colleague and I would both say that that is a very small amount in terms of the percentage of the drug trade. But then, of course, the profits from that small amount go into very harmful activities. So we do not want to understate it.

Senator **Pell**. I was interested in your definition of terrorism. Would you repeat that, please, again.

Mr. **Taylor**. Well, the traditional view, I think the definition that the Congress would have put into our counterterrorism program is the use of terrorist activities to achieve a political agenda.

Senator **Pell**. But wouldn't that apply to our support of the Contras in Nicaragua——

Mr. **Taylor**. That definition as we use it would be true of the "contras" if they were engaged in narcotics trafficking, but we have no evidence of such involvement.

Senator **Pell** [continuing]. That they are engaged in terrorist activities to attain a political agenda?

Mr. **Taylor**. The cases that have been documented by the court actions in Miami against Nicaragua, against Cuba, the Bulgarian connection we were just speaking of—those would fit into that traditional definition.

Senator **Pell**. Excuse me. To follow that thought up, also, the activities of the Contras in Nicaragua would fit into that definition, too.

Mr. **Taylor**. To the extent that they are connected with narcotics, yes.

Senator **Pell**. For political purposes.

Mr. **Taylor**. If we are talking about narcoterrorism.

Senator **Pell**. Right.

In the European area, most of the terrorist activities, drug activities, particularly, seem to be connected with leftwing groups. Are there any rightwing groups connected with them, too, or not?

Mr. **Taylor**. The Armenian groups, which are based in the Middle East, also operate in Europe. They are considered to be rightwing. They have not formed a government for a long time, so I think it is hard to judge.

Some other Turkish groups, there is one called the Grey Wolves, and that has been called rightwing. But certainly the ones that have had some links with narcotics financing, perhaps, whether it is the Red Brigade or something like this would be on the left.

Senator **Pell**. Thank you.

Thank you very much, Mr. Chairman.

Senator **Trible**. Senator Pressler.

Senator **Pressler**. I want to pursue that a little bit, the Armenian terrorists, for example.

It is generally assumed in this hearings that there is a link between drugs and terrorism, but many people contend that the Armenian terrorists are motivated more on an ideological basis, trying to get recognition of a holocaust that allegedly occurred in Turkey. Others have said that the Armenian terrorists are financed by the Soviet Union. This morning, we are told that there are links between the Armenian terrorists and drugs.

What I am trying to get to is this. Are we imagining some of these things? Give me some concrete evidence of the Armenian terrorists. By the Armenian terrorists, you mean the people who assassinate the Turkish diplomats, I take it, is that right? Someone mentioned the Armenian terrorists in his original testimony here.

And speak up just a little bit.

Mr. **Westrate**. There is one specific case involving a Nubar Safoyan, who was a member of this group, who was charged in a New York heroin case.

I think we have a spectrum of degrees here when we talk about these various groups involved in drug trafficking. We must come back to the reason that most of them are in this business, and that is for financing. That is the motivation which steps aside from the political ideology in most cases, and that is true whether we are talking about the FARC in Colombia or the Burmese Communist Party over in Southeast Asia or these other groups.

To that extent, I do not think we can necessarily say that these groups are in the drug trafficking business to be drug traffickers, so much as they are in the business for the purpose of generating profits, which they then put into their various political agendas.

Senator **Pressler**. But what is your answer to that question? Are we assuming too much to assume that the Armenian terrorists are financed by the Soviet Union? Do we mean by the Armenian terrorists the people who assassinate the Turkish diplomats? Are we assuming too much? I don't know exactly how many, 40 or 50 Turkish diplomats, have been killed. Would you be suggesting that the people who kill them are financed by drug traffic? Is that what you are suggesting?

Mr. **Westrate**. I would say that we do not have a total picture, but I would be confident to say that at least that one individual has financed his activities through drug trafficking. It is an obvious presumption, as committed as he is full time to that activity, that that is where the money went.

I think we can make even a stronger case for various other groups, particularly in Latin America.

Senator **Pressler**. Well, what about the European terrorists, the Red Brigades and so forth? Has there really been established a link between them and drugs? Or are they financed by drugs?

Mr. **Westrate**. No. I think with some of the other traditional groups, like the Red Brigades and the PLO and some of those groups, we find incidental reference occasionally to a person who is involved in those causes who is also involved in drug trafficking. But the frequency of it is very low and it is very sporadic, and no concrete cases of an investigative prosecutorial nature have been made.

Senator **Pressler**. Part of our briefing paper, which is not classified, and which has been a part of your testimony, assumes or states that Middle Eastern drug trafficking organizations, dealing principally in morphine base, are known to purchase huge quantities of arms through international arms dealers, as well as through the Bulgarian trading firm KINTEX, essentially an arm of the Bulgarian Secret Service. Is that a proven fact?

Mr. **Westrate**. I would say we are very confident about the comments about Lebanese traffickers involved in the hashish traffic and the heroin traffic in a major way. Yes, that is quite an active activity.

Senator **Pressler**. Well, in Lebanon it is. But would you address this question. Middle Eastern drug trafficking organizations, dealing principally in morphine base are known to purchase huge quantities of arms through international arms dealers. Is that correct?

Mr. **Westrate**. Yes, sir. We have received information to that effect.

Senator **Pressler**. As well as through the Bulgarian trading firm.

Now, what evidence is there of that, and what do they do with those arms?

Mr. **Westrate**. This allegation is based on various informant information received by DEA and is supported, I believe, by other U.S. intelligence sources as well. We have informaton from sources that have been actively involved with these groups who have reported on occasion these groups' involvement in both drug trafficking and arms purchases.

Senator **Pressler**. Between September 1978 and February 1980, KINTEX is alleged to have shipped as many as 25,000 Kalashnikov assault rifles via the Celenk organization to Kurdish separatists in eastern Turkey. Payment was in morphine base.

Do we know that to be a fact?

Mr. **Westrate**. Yes, sir.

We are confident of that information.

Senator **Pressler**. Now, what is their motivation in shipping those Soviet-built rifles to the Kurdish separatists?

Mr. **Westrate**. Well, I would have to say, aside from political philosophies, that it was a shipment of a needed armament. The payment, of course, is in a commodity that happens to be available, and often this commodity is available when cash is not. So we see the drugs being utilized as the method of payment, or being sold to a third party to generate the cash to make the payment for the armaments.

Senator **Pressler**. We are told that the Syrian drug trafficker, Henri Arsan, purchased millions of dollars of arms from KINTEX in the late 1970's and shipped them to extremists in Turkey. Using false documents, he also purchased huge quantities of arms for Iran from NATO countries.

Do we know that for a fact?

Mr. **Westrate**. Yes, sir. We have received that information.

Senator **Pressler**. How do we know that?

Mr. **Westrate**. Again, from source information of various kinds.

Senator **Pressler**. Have we actually seen pictures of it? Have we seen evidence of the arms being there?

Mr. **Westrate**. Well, I would have to go back and review what exact documentation there is of that, but we are certainly confident of the conclusion.

Senator **Pressler**. I ask these questions not because I personally question them, but if these things are true, it is a staggeringly difficult problem that we face. It is very, very serious.

I hope we are not making links in some cases to things that are going on. It would not be good to make public policy based on assumptions or linkages. But you are confident of the facts of these things that I have read?

Mr. WESTRATE. Yes.

And I again would like to come back to the point that our confidence is even stronger when we view the trafficking aspects of these as financial generating tools, as opposed to the trafficking itself being a political motive here. Of that we are very confident.

Senator PRESSLER. Thank you very much.

Senator DENTON. My cochairman, Senator Trible, says that since this is being held in the Foreign Relations Committee hearing room, we probably should observe Foreign Relations rules. But I will inform my friend and colleague, Senator Biden, who has been the former ranking member on the Security and Terrorism Subcommittee and is now the ranking minority member on the Judiciary Committee and would, by those rules, be recognized next, that Senator Dodd has come earlier and has asked in the interest of his short time if he could, having sat through a number of questions and answers, go next.

Senator BIDEN. So what! [Laughter.]

Senator DODD. So you are trying to get me into trouble with Joe? [Laughter.]

Senator BIDEN. Oh, I don't mind. I would love to hear what Senator Dodd has to say.

Senator DENTON. The Senator from Connecticut.

Senator DODD. Thank you. I am not going to take very much time.

First of all, let me commend the respective chairmen of these committees. We ought to do this a little more often in terms of joint committee activities, where there is a common interest in a subject. I commend the Senators responsible for bringing this together.

The central question I guess I have is this. You are addressing right now, a series of question from Senator Pressler on a subject which interests me. I probably should step back a second and tell you that one of my fears in all of this is that we are going to so politicize this issue that it is going to be difficult to really focus our attention on the overall problem. My concern is that this may be occurring.

This in no way is meant to suggest that we should minimize the political implications of drug trafficking, but it seems as though we are putting the cart before the horse a bit in dealing with this problem.

You have identified a series of countries where the major problems are in terms of growing, factories, and so forth, at least in this hemisphere.

Would you cite for us which are the transit countries? In other words, I understand, in addition to where the drugs are grown, produced, or fabricated, there are then transit nations that may be involved, which assist in the trafficking operations. They may not be the source of them, but we have reliable information which indicates their participation, as an integral link in the traffic.

Which are those countries?

Mr. WESTRATE. I think two of the clearest examples which have been most recently publicized would be the Bahamas, through which much cocaine and marijuana is transshipped, and, of course, Mexico. The major situation in Mexico during the first part of this year has been tremendous amounts of cocaine being transshipped from South America, through Mexico, into the Southwestern United States, in multi-ton quantities.

We have to think here, particularly in transshipment countries, about the problem of corruption and the corrosion from within the government, as opposed to an attack upon an established government from an insurgent group on the outside. Mexico I think is probably the best example now, where corruption got to a point, based upon money again and payoffs, where the government lost control of its ability to attack and interdict this transshipment activity.

The Bahamas I think is another fairly clear example. There is the Turks and Caicos situation, which, of course, has not been tried yet, but, nonetheless, we have two officials from that country. We have an official from the Belizean Government arrested here recently. These gentlemen were taking payments to protect shipments of drugs.

So we clearly see the importance of transshipment countries.

Again, I would like to highlight the implications of huge amounts of money available to corrupt and corrode these governments from within, which is a totally different thing from external kinds of insurgent groups and other kinds of terroristic activities.

Senator **Dodd**. I appreciate your comment on that.

Senator **Biden**. Excuse me, Senator. I am not sure I understood the answer, and I did listen to it. Was your question whether or not the governments themselves were corrupt, as a matter of government policy, or whether there were corrupt officials, as in this Government and every other government in the world—there are corrupt officials everywhere, more in other countries in fact—and whether these corrupt officials were participating?

Senator **Dodd**. My intention was more of the corrupt official rather than official government policy.

Mr. **Westrate**. Yes, sir; I would not conclude government policy at all. The pattern certainly has been government officials become corrupted.

Senator **Biden**. Thank you.

Senator **Dodd**. In terms of detection of production, I was with some of the DEA officials a year or two ago in the Llamos area of Colombia. I was out with them for a day, looking at some of their activities in interdiction. It was an on-ground, visual kind of thing.

Do we have any techniques, through infrared or other satellite capabilities, which might indicate activity in drug production other than the on-ground kind of inspection or investigation?

Mr. **Westrate**. We utilize all the techniques that are available to us in the U.S. Government, and we coordinate that activity very closely with the State Department and others. We have left no stone unturned in that regard, and, of course, some of those things we cannot delve into this morning in this forum. But we are utilizing everything that is available to us, both technologically and as far as resource ability, to enhance our detection, and, therefore, our estimating capabilities, and also to be able to utilize this to make eradication campaigns more efficient.

Senator **Dodd**. Is there any indication that Cuba or Nicaragua are involved at this juncture? We know of the accusation and charges that have been brought regarding transit, the Colombian situation, the recent photographs of some Nicaraguan officials unloading or loading drug material? What about in the area of production itself? Do we have any reliable information that either of these two countries are in any way engaged in the production and manufacturing, if you will?

Mr. **Westrate**. We have received reports not so much in the production of cocaine, not so much in the cultivation, but in the area of processing cocaine, laboratory-type activity, but frankly, it is very minimal in relation to the total processing that is occurring in Colombia, Ecuador, Peru, and Bolivia, and now in the United States as well we are seeing more and more cocaine hydrochloride laboratories being seized in the United States during the past year.

So, while there have been reports of that kind of activity, they have been relatively infrequent, and most of the activity is in terms of transshipment again.

Senator **Dodd**. Would you bring us up to date on something? Back in February there was a report about the single largest cash interdiction, if you will, in Texas history. A plane was interdicted with some $6 million in cash in relatively small bills, of an individual by the name of Franscisco Guirola, who had in his possession at least one, if not two Salvadoran passports and one Costa Rican passport.

I asked in the past to be briefed about that particular fact situation. Can you tell us what has happened in that case and where Guirola is today? Has the trial been set for him? What is the origin of the $6 million? Where was it headed?

Mr. **Westrate**. Well, sir, I can say a few things about it. First of all, the case is being handled as a currency exportation matter the customs laws by the U.S. Customs Service, and I would defer to them on any particular details.

I can tell you that the seizure itself—I think it was $6.8 million in cash—does not appear at this point to be drug related.

Senator **Dodd**. It does not what?

Mr. **Westrate**. It does not appear to be a drug-related shipment that we can prove. However, the people who are involved in that activity are known to the Drug Enforcement Administration. I think most of them are pilots. We have looked at it closely and are following this case very closely with the Customs Service.

Senator **Dodd**. Has a trial date been set?

Mr. **Westrate**. Well, it has probably been set, but it has not occurred yet, to my knowledge.

Senator **Dodd**. Where is Mr. Guirola today?

Mr. **Westrate**. I cannot attempt to answer that, sir.

Senator **Dodd**. Do you know, Mr. Taylor?

Mr. **Taylor**. I heard that he is detained in the United States, but I would also have to confirm that.

Senator **Dodd**. I would like to get that confirmation, if I could, in addition to this information.

[The information referred to follows:]

Guirola posted 10 percent of a $2 million bond on April 8, 1985. On May 9, 1985, Guirola filed a motion to travel to Guatemala from May 13 to 20 to pick up money reportedly owed to him. The Court approved this motion on May 10, 1985.

Senator Dodd. Mr. Chairman, I will terminate there, and I thank you for the opportunity to question.

Senator Trible. Thank you.

Senator Denton.

Senator Denton. Senator Biden has been in this long before most of us at this table. He has been a bipartisan attacker of the problem. And it is with great pleasure and sense of privilege that I introduce Senator Biden.

Senator Biden. Thank you very much, Mr. Chairman.

Gentlemen, I will be brief. You have been spending—you, meaning the two Government agencies with whom you work or for whom you work—have been spending a good deal of time over the last several years connecting the evidence with the supposition we had before that period of time about the connection, at least the financial connection between the drug trafficking and terrorist organizations: coffers being filled to purchase weapons, and in some cases to destabilize governments and be involved in assassinations, et cetera.

One of the questions that lingers, and it lingers from 7 or 8 years ago, involving Bulgaria, is whether or not we have any evidence of any country in the world as a matter of government policy either initiating and/or in any way augmenting the ability of terrorist organizations to traffic in drugs; not individual, corrupt officials, but whether or not there is a government policy in any country that we are aware of.

Mr. Westrate. I would respond to that by saying that anyone's conclusion has to be based to some extent on circumstantial information. In fact, A, B, and C would lead you to conclude that there must be sanctions over certain activity.

In the Bulgarian situation, the KINTEX Trading Co. was and probably still is closely controlled by the government of that country. The theory would be that this kind of activity, including the volume of weapon activity, could not have been ongoing without the knowledge, and perhaps it was condoned and allowed to continue without it being a positive policy.

There are different kinds of policies. We can all make it a policy to ignore something and allow something to continue that we know exists versus having a meeting, for example, and sit down and decide we are going to do a certain thing, and I think some of the other countries, Nicaragua being another example where trafficking activities ongoing are collateral to other activities, and the two have a marriage of convenience.

Senator Biden. I understand that. I am not suggesting that there aren't other countries, and I am not looking for taped conversations, but I want to pursue the line of questioning that Senator Pressler was pursuing. I think it is important that we on this side of the bench understand how much hard data you have, how much of it is supposition.

For example, it would be preposterous for someone to conclude that the officials in California were in fact condoning marijuana becoming the cash crop, yet an outsider, if they wanted to, could sit and say, well, all we know is in the last 10 years marijuana has become the leading cash crop in the state of California, ergo there must be something going on, because if there were not, the Government could stop it.

I want more than that. I would like to know how much hard data you have, whether it is in SIGINT or whether it is in COMINT. If you cannot say it in open session, say so, whether or not you have any hard data to substantiate that any country anywhere in the world as a matter of Government policy is in fact facilitating drug trafficking for the purpose of enabling terrorist organizations to do their work.

If you cannot say so in open session, we can do this in closed session tomorrow or whenever.

Mr. **Westrate**. I would say this much at this session, that we do not have the tape recording, so to speak, but we do have substantial source information, and of course when we talk about source information, we get into the question of reliability and other things which would corroborate the source information that we have.

I would say in relation to Bulgaria, and Cuba, and Nicaragua we have substantial information that would indicate that the governments, at a minimum, condone this activity in our belief. As I say, we do not have a tape recording or a videotape of a meeting by Government officials deciding to and agreeing to.

Senator **Biden**. I am not suggesting that. We both have been in this business long enough. There are other means by which you get evidence. You do not need tape-recorded data. I am not suggesting that. I just wanted to know whether or not you in fact have any reliable data other than supposition that it is happening, ergo, it must be being condoned.

I suspect it is, by the way. In order for us to get this body and this country mobilized to the extent we must, in order to get the resources and help that DEA should have and that we have been hollering about for 8 years, we are going to have to have more hard data.

Mr. **Westrate**. We have enough, Senator Biden, to come before this body and say that we believe circumstantially that that is the case. Now, in relation to Cuba, for example, there were many years at various hearings, and various congressional inquiries, and so on where we were not able to make that statement, although we did have bits and pieces of information, and also source information.

Senator **Biden**. Can you produce in classified form these bits and pieces of information and substantiate it? It will come as no surprise to you that the word of a DEA agent, as honorable as it is, saying that they have circumstantial evidence does not necessarily carry the same weight as if you can in fact produce for us in classified or any other form the basis of your conclusion, the basis for your conclusion.

Mr. **Westrate**. Well, to the extent we can provide this information based on other rules and regulations, I would say certainly——

Senator **Biden**. That is all I am asking. And if in fact you came out under any rules, you just indicate how, and we will get the Intelligence Committee to ask you again.

Mr. **Westrate**. It could be produced and someone would have to make his own assessment as to whether our circumstantial conclusions are accurate.

Senator **Biden**. That is the whole point. It would be useful.

Senator **Denton**. Senator Biden, if you would yield, I think I could help, because your interest, while relatively constant, did not extend to going to Miami.

Senator **Biden**. I try to stay away from Miami.

Senator **Denton**. Right. I do not blame you. [Laughter.]

Where it was ascertained that there was sufficient evidence against high Cuban officials to indict them, there are men under indictment including the following.

Aldo Santa Maria Quadarro, a vice admiral of the Cuban navy and a member of the Cuban Communist Party Central Committee, is charged with having supervised the protection and resupplying of ships transporting drugs from Colombia to the United States by way of Cuba. This involves the terrorists receiving quid pro quo in the form of arms or money for arms.

Rene Rodriguez Cruz, a senior official of the DGI, the Cuban intelligence service, and a ranking member of the Cuban Communist Party Central Committee, it was he who helped organize the Cuban boat lift to the United States.

Fernando Ravelo Renado, a former Cuban Ambassador to Colombia, and Gonzalo Baso Suarez, a former minister counsel of the Cuban Embassy in the Colombian capital and a member of the Cuban Communist Party, they were charged——

Senator **Biden**. With all due respect, Senator, I am aware of all of that, and I am not suggesting that it is not true. I am suggesting that the witnesses submit for the record for us the basis of their concluding that in fact the three governments named are involved.

I do not doubt you, but I just want to be a good lawyer and make sure that it is produced for the record other than just having a statement on the record that you have conluded from circumstantial evidence that it is the case.

For example, who was the fellow that was arrested a couple of weeks ago in Texas with a bag full of money?

Senator **Dodd**. Guirola.

Senator **Biden**. When I made inquiries as to whether or not there was any evidence that that money was related to drug trafficking, the answer I got back was, no, there is no evidence to indicate that, yet circumstantially we usually find that when people are walking around Texas with bags full of relatively small bills in large amounts, that there is something up.

Now, I wonder whether you have any more information on that?

Mr. **Westrate**. We would certainly agree with that. And as I mentioned earlier, we were not involved in that investigation heavily. As I said, Customs is pursuing this, and maybe they have information that I am not aware of, but we cannot hook that particular bundle of cash money to drug transactions.

But we do have information that the people involved have been involved in drug activities previously, but we cannot say therefore that the money is drug-related necessarily—from an investigative point of view.

Senator **Biden**. I understand that. The reason I mentioned that again is to make an analogy. There is sufficient circumstantial evidence. You have a bag full of money.

You have people who have heretofore been involved in or who have been known, to use your phrase, to DEA, and circumstantially it would lead one to believe, not enough to convict anyone in court, but circumstantial evidence is such that one would be led to believe that there probably were drug-related transactions involved to produce that kind of money.

Is that the same kind of circumstantial evidence you have with regard to the Governments of Nicaragua, Cuba, and Bulgaria, or is it a different kind of circumstance? I am not asking you to answer that now. That is why I want, for the record, the evidence.

You are rightfully cautioning us here that with regard to the recent case in Texas we should not jump to conclusions, yet on the same hand you are telling us it is all right to conclude as a matter of record that the Governments of Nicaragua, Cuba, and Bulgaria are officially condoning the policy of drug trafficking and allowing the financing of terrorist organizations.

I am not suggesting they are not. They are bastards, those three governments. I have no problem with them being put into that category. I just want to know how much evidence we have.

Mr. **Westrate**. We would be glad to share that with you in another forum.

Senator **Biden**. Good. That is all I want to know.

One of the organizations which it has always seemed to me should be even more heavily involved in what I think most of us agree is the single worst problem we face internationally, if you are going to narrow down one problem, it is drug trafficking and all of its ramifications, including link to terrorist organizations, but well in addition to the link to terrorist organizations, all by itself, old fashioned mafioso drug trafficking is a problem. All by itself, entrepreneurial drug trafficking is a problem.

Now, one of the things I would like to know is, we currently provide 5 percent of the overall budget for Interpol, which includes 136 member countries. What activities, if any, are under way in the area of antiterrorism and international drug trafficking by Interpol, if either of you could speak to that?

Mr. **Westrate**. Well, Interpol, of course, is very active, and we also as DEA are active with Interpol. I cannot speak to their specific terrorism activities, but I know they hold various symposia of various types, and they do an awful lot of intelligence collection from various countries, and I am sure terrorism is a big piece of that.

We are closely associated with them from the U.S. drug effort. The gentleman who heads the Interpol drug squad in France is a DEA special agent, and of course we have our own DEA agents assigned to the Department of Justice. We could summarize that for you and submit it for the record so that you have a little more accurate information.

[The information referred to follows:]

Interpol monitors and attends seminars and meetings internationally which are focused on the recurring problem of terrorism. In addition, it shares all intelligence between the 136 member countries as it pertains to terrorism activity and is actively soliciting intelligence from member countries. A specific unit within the U.S. National Central Bureau of Interpol addresses terrorist activity and attempts to keep current.

Interpol through the U.S. DEA representative in Washington, exchanges information on international drug activities with all member nations which includes modes of operation, arrests, seizures and trends in the international traffic. This is augmented by the INTERPOL Secretary General's office, where the Drug Sub-Division is headed by a DEA special agent and staffed by policy officers from member countries. In addition to informational support, INTERPOL also schedules numerous conferences and working meetings in which specific international drug traffickers are investigated with a view to immobilizing their activities.

Senator **Biden**. Are there any areas from your experience where you believe Interpol could play a greater role in drug trafficking cases? I mean, what would you have them do that they are not doing? What could help in this area that you are aware of?

Mr. **Westrate**. Well, Interpol serves a very useful function in exchange of information. I think this particular kind of criminal investigation of the Drug Enforcement Administration provides a unique channel overseas for the exchange of drug-related information between countries, and more particularly to the drug investigative organizations that we have fostered over the years in various countries.

In that respect, we try to be the electrical system that ties the various countries together and keeps our cases moving efficiently amongst all the countries involved. Interpol can and does complement that in terms of providing intelligence. They are very active in the area of pursuit of fugitives, and so forth, and I think that is one area in particular where Interpol is useful.

We have many drug-related fugitives worldwide who must be brought to justice. Although we are making slow progress on the issue of extraditions, we have to make our borders transparent to the various legal restraints that slow us up from bringing these traffickers back to the country where they can be prosecuted.

Interpol would be one way to do that, but other efforts as well are needed to break down the borders, so to speak, in terms of prosecuting various traffickers in any country for this kind of activity.

Senator **Biden**. Mr. Taylor, as you know, from time to time—out of frustration—we in the Senate propose legislation that deals with curtailing foreign aid or eliminating it to countries who in fact in the minds of the Congress are not meeting their obligation in the international community and their bilateral relations with the United States by attempting to interdict or curtail the production of drugs in their own countries.

It is always a controversial question. It is always a balancing act as to when we reach that point, if we ever reach it. One of the reasons why I pursued with Mr. Westrate the issue of the amount of proof that we have to indicate that governments themselves are involved is to deal with the following argument.

Those of us who suggest we should deal more harshly with recipients of our foreign aid and assistance when in fact they seem not to be cooperating in attempting to curtail drugs are usually met with the following statement.

It goes something like this, that it is not possible for the governments to do more than they are doing now, the Government of Colombia, the Government of Bolivia, the Government of Peru.

Let us take Peru for example. In Peru, there is the so-called Shining Path, a terrorist organization and a cocaine smuggling ring that is undermining the U.S.-financed drug control program in that country.

Now, sometimes we hear that you cannot really expect the Government of Peru to be able to eradicate or make great strides in limiting the amount of coca production and transshipment of cocaine because they are incapable of dealing with this terrorist organization, and some have even said to me, we do not have a whole lot of luck dealing with the Mafia. We have not been all that successful.

John McClellan was in a room similar to this, and he listed 25 Mafia organizations, and to the best of my knowledge all of them are alive and well and still functioning in this country.

So, how do you respond to the question, when is it time for the United States to cut off foreign aid as a means of indicating our displeasure with the failure of the host government to make progress in curtailing drug shipment and/or drug production?

Mr. TAYLOR. Senator Biden, as I said earlier, and quoted Secretary Shultz and Assistant Secretary Thomas, we take this legislation, the current law and its predecessors, very seriously, but you, who know more about this than I, know the complexities of this issue and the competing foreign policy interests that we have.

As a general rule, we will look at our competing interests, and if we believe that by a suspension of assistance, by exercising these sanctions, that we will either get the Government's attention, and by doing it achieve something that will enhance drug control, you can count on us making that kind of recommendation.

Unfortunately, when you get into situations such as we have with Bolivia, where you have a fabric, if you can call it, of a government facing an election, it is difficult to achieve action. I mentioned earlier today that it has just had its fifth or sixth cabinet change. We do have an ongoing dialog.

We have had some improvements in the last months in terms of seizures and activities, but our view is that cutting the remaining assistance to that government would not achieve that.

You raised a very good example in the case of Peru. I would preface it by saying I know of no occasion when anyone from our bureau has said that any government is doing enough.

We do not say that about our own Government. This is one of our hesitations over our ability to comply with legislation that asks us to certify the performance of governments, because that gets us into the tricky role of saying that they are doing well enough. We do not believe any government is doing well enough.

In the case of Peru, as you know, we had 19 people who are paid by the U.S. taxpayer to eradicate coca very brutally murdered last November. Another 20 in Peru were murdered by what we believe to be narcotics traffickers in February.

Even the mayor of Tingo Maria, in the center of our project area, who was alleged to be a trafficker, died the same way. He was assassinated.

But despite this experience and threat of violence, and the fact that from about November to April we would not expect much eradication because of torrential rains, we have over 300 coca eradicators working in that valley.

The government has determined, even during the "lame duck" period, to sustain its efforts, reflecting very much the dialogue by the ambassador to maintain these programs. They have provided adequate protection, so the eradication is continuing. We eradicated last year, despite these murders, 3,200 hectares of coca, and the target this year is 6,000 hectares.

To date we have had 11 square miles of coca eradicated in Peru. Now, we are not satisfied with that, and I do not think the Peruvian Government is, but it is a beginning, and we hope within certainly the political lifetime of any of us here that we can begin to see a netting down of the production in Peru, that is, more being taken out than is being added.

So, I do not think that in the case of Peru we would achieve the congressional intent if we were to cut off foreign assistance right now.

Senator BIDEN. I thank you. My time is up. I appreciate your testimony.

Senator DENTON. We will certainly get back to you, Senator Biden. It is my turn. Then we will go to Senator Pell. I certainly believe, Senator Biden, that you are trying to get at this in specific terms. I have been quoted as saying President Reagan does not know enough about terrorism to consider such things as preemptive strikes.

I did not say that, but I did say that our entire government has to get a more specific handle in my belief on an estimate of the situation as it affects our interests before we start talking about commitments which are at the bottom of the triangle. We have got to get the interest aspect, then the objectives, then the policies, then the commitments, and I think your questions were in that general vein.

You may know it relative to one of the questions you are asking, but some of the others may not. In addition to the indictment by the Federal grand jury of those three high-ranking Cuban officials, there were telephone communications regarding the finalizing of arrangements made from the Cuban Embassy in Bogata to the foreign ministry in Havana. These calls involved the setting up of the rendezvous, the very sophisticated and elaborate military drug operation which took place from mother ships loaded with drugs coming to Cuba, radar from the Cuban Navy, the vice admiral present there, all sorts of elaborate arrangements, then the transfer to the boats which came to the United States with the drugs. That is all established.

Also, Gerado Peraza, who was the DGI chief in London, again, in his 1982 testimony was corroborated by a number of other witnesses maintained that the KGB had a colonel who later became a general, running, for all practical effects, the DGI, the Cuban intelligence agency, in Havana, that the instructions from the KGB to the DGI respecting drug trafficking and every other operation that this sponsor in Latin America has to establish to the satisfaction of the Soviet Union, the ultimate objective of the destabilization of the United States.

I do not believe that we can ignore a monstrous situation out there by questioning whether or not all of these or any of these people are reliable. I believe that a question by Senator Pell may have been misunderstood by Mr. Taylor.

I believe if I am not incorrect that Senator Pell asked Mr. Taylor if the Contras could not be considered narco-terrorists in that they are dealing with terrorism, and I thought Mr. Taylor unintentionally replied affirmatively to that.

Is there great evidence that they are? Or were you referring to Nicaragua, the Government of Nicaragua?

Mr. TAYLOR. I was trying to put the question in the context of drug-related terrorism. I said I do not know of any drug-related activity with the Contras, any evidence that I can speak of.

Senator PELL. I think it is probably an incorrect question, because I was talking about narco-terrorism and I was thinking more of terrorism. That would not be a question to ask Mr. Taylor.

My point was in the normal dictionary definition of "terrorism," which has nothing to do with narco-terrorism, terrorism, which is murder or violence to change a government's policy. The Contras are engaged in terrorism. They are terrorists. That is all I said.

Senator DENTON. I would comment on that, Senator Pell. I think your point is not ill-taken, but in the case of the Contras those men are wearing uniforms.

As a result of a joint investigation on the part of the staffs of Senators Kennedy, Bingaman and myself, which resulted from different impressions that Senator Kennedy and I had of a raid on Sumabila by some Contras, we did establish that fact—and this is why I welcome bipartisanship in these issues. I do not want any nonfacts presented as facts.

We did send a joint staff mission down there, and he did agree that his version was largely incorrect. His staffer agreed that his version was largely incorrect. They were getting information from people who were propagandists. They said that the raid was not that way, the Contras did not do it the way they thought they did. And the principal point they agreed with was that the Sandinista government was oppressing the Mesquito Indians, of which the Contra group involved was the military arm.

We do not agree on everything by any means with respect to Nicaragua, but we did come closer to agreement on that. And I would be happy to work with anyone in a joint look at anything where there is doubt, and there is doubt in many of these things.

I just hope we do it positively and with a spirit of goodwill, because I agree with Senator Dodd in the fact that we should not politicize this. I would like to see us get back to a bipartisan approach to this sort of thing. I feel perfectly friendly with all of my colleagues and I just hope that we can immerse ourselves more from the foreign relations and judiciary point of view until we come up with a greater degree of consensus on this issue, that is all.

If I am wrong, fine. I would like to know where I am. I think at this juncture in our history the force and trends represented by narcoterrorism in international affairs are something that we do not understand well enough. We have not concentrated on them enough and we have not coped with them. That is my principal concern.

Mr. Westrate, according to Salvadoran law the foreign ministry has to issue official passports. And I am going back to Mr. Guirola. Who issued his official passport?

Mr. WESTRATE. I cannot answer that question, sir. I do not have those facts.

Senator **Denton**. OK. My information is that it was Ricardo Acavero, the vice foreign minister.

Is it correct that Mr. Guirola was a business partner with Mr. Acavero, who was Duarte's vice foreign minister? And I have nothing against Mr. Duarte. Like Senator Biden, I am getting after facts. Do you know whether he was a business partner with that man?

Mr. **Westrate**. No, sir, I do not. We may have that information, but I am not personally familiar with it.

Senator **Denton**. It was a customs investigation. If you would make an effort to find out what the opinion or information is on that, I would appreciate it, and get back to us.

Mr. **Westrate**. Yes, sir.

[The material referred to follows:]

DEA has learned that Mr. Acavero did issue the official passport to Mr. Guirola, however, we do not know whether Acavero and Guirola are business partners.

Senator **Denton**. A similar question: Was Duarte's vice foreign minister driving Mr. Guirola's car the day that Mr. Guirola was arrested in Corpus Christi? And the answer to that question is "yes" according to the information that I have. I would again ask you to ascertain what the facts are that question.

Mr. **Westrate**. Yes, sir; I would be pleased to do that. I would be hesitant. I am just uncertain. The case has not gone to trial yet. We would be glad to follow up on that.

[The material referred to follows:]

We have not been able to establish that Mr. Acavero was driving Guirola's car the day of the arrest in Texas.

As to the status of the case, sentencing is set for June 12, 1985. We understand Guirola will plead guilty to currency violations.

Senator **Denton**. Mr. Taylor, the United States is beginning to realize that it has a new Marxist state to deal with, Nicaragua. The evidence is becoming clear that Nicaragua is opening its arms to practically every known terrorist group. They are there from almost every known Communist source. It has formal diplomatic relations with the PLO and political relations with M-19. It harbors fugitives with the Red Brigade, the Baader-Meinhof Gang, the Basque ETA separatist guerrillas, leaders of Honduras' Cheniero guerrillas, militants from Peru's Shining Path, Monteneros from Argentina, Tupamaros from Uraguay, and others.

Do you agree that that is generally a correct statement and how do you see the significance of that situation and the obvious alliance of that government with the terrorist world and the tremendous buildup of military power in Nicaragua relative to the kind of power that would be needed for their defense, and especially relative to the negligible power which Costa Rica and its neighbors have?

Mr. **Taylor**. Senator, both from the narcotics control and the foreign policy point of view, I think I can say that the Government views that in an alarming way. Any time that these terrorist organizations can enjoy sanctuary provided by a government, it gives them a foothold. And obviously, we are much more worried about their capabilities to operate from that foothold than if they were operating in a very transitory status.

So yes, both from a narcotics control and the foreign policy points of view, we are very alarmed at that confluence of various groups. I cannot confirm from memory each that you have mentioned, but my memory recalls most of the ones you have mentioned as having contacts with that Sandinista government.

Senator **Denton**. Thank you.

I will defer any further questions to writing, and will ask Senator Pell if he has any parting questions before we go to our next panel.

Senator **Pell**. No. Thank you, no further questions.

Senator **Biden**. Mr. Chairman, I have two if I may.

Senator **Denton**. By all means.

Senator **Biden**. What role are international banks in Panama, the Bahamas, and in other Latin American countries playing in laundering drug money?

Mr. **Westrate**. I think it is fairy well established that the countries that you named have banks in them that have been utilized for laundering drug money for some time. And in fact, countries like the Bahamas and others have significant laws which protect us from conducting effective investigation in many cases.

Senator **Biden**. Do any of these banks have U.S. banking connections?

Mr. **Westrate**. Well, I would suppose that many of them do. We would have to look at each one specifically to really answer the question.

Senator **Biden**. Well, for the record would you list for us what banks are involved and what connection, if any, they have with U.S. banks?

Mr. **Westrate**. We will attempt to do that, yes, sir.

[The material referred to follows:]

Narcotics traffickers have traditionally utilized the financial community to move their drug-related proceeds from the United States to offshore bank secrecy havens. This cuts the investigative paper trail and prevents the tracing of funds from the drug transaction to a trafficker's assets, be they invested in real property or in a more intangible form. The financial institutions utilized for this purpose are by no means limited to the few that have been identified through previous investigations, nor are any of the larger, more reputable banks immune from having their normal international services utilized by the narcotics traffickers.

To date we are only aware of one bank that appeared to be primarily dedicated to the laundering of narcotics proceeds. This was the First Interamericas Bank in Panama. The Bank was intervened by the Panamanian Government and is presently being investigated by their bank examiners.

A major tool available to the U.S. enforcement effort for combatting the laundering of narcotics dollars is the Mutual Legal Assistance Treaty. The U.S. Government has benefited greatly from the treaties with Switzerland and the agreement, providing narcotics related financial information with Grand Cayman. It is hoped that as in these two instances, future agreements with Panama, the Bahamas and other secrecy havens will limit the number of sanctuaries available to the drug traffickers and his illicit earnings.

Senator **Biden**. Would you also be willing to suggest to us what we should be doing, if anything, legislatively as a government to pressure these banks and the countries involved so as to negatively impact on their ability to launder money? Do you have any suggestions? Does the agency have any suggestions?

Mr. **Westrate**. We would certainly encourage any legislation which would enhance our ability to conduct investigations. However, we cannot legislate that in many cases.

We are seeking through the Department of Justice, with mutual assistance treaties and other kinds of negotiations, to open up these avenues, and have been quite successful. We have been working for several years with the Swiss, for example, where if we can establish the drug source of funds in Swiss accounts, they will take action to seize, and of course they forfeit to the Swiss Government accounts and we think that is fine.

We look toward our relationships with other investigative organizations and countries as a teamwork effort, and we are not really concerned where the funds are seized so long as we are able to seize them and remove them from the traffic.

Senator BIDEN. Are you satisfied with the vigor with which the State Department has pursued the countries in question, changing their attitude and their laws relative to their banking institutions to allow us greater access?

Mr. WESTRATE. I would say that I am. We work, of course, daily not only with the State Department, but of course there is a major role played in this question by the Department of Justice and the Department of Treasury on this issue.

It frankly is extremely complex. Just to get by the attitude about bank secrecy, for example, is difficult even in this country. We, I think, pride ourselves in the security of our tax returns, for example, and getting by that is a very difficult thing.

But once we get past the issue of this is drug money and something special must be done about it, after that it gets to be extremely complex also from a legal and a financial legal point of view. And these negotiations for treaty kinds of arrangements are very prolonged, very technical, and very difficult. But we are working on them.

Senator BIDEN. I understand that. But one of the lead agencies in that effort has been the State Department. Are you satisfied with the vigor with which they are pursuing the course you just outlined?

Mr. WESTRATE. Yes; I am, Senator Biden. I think they have been working very actively in this area.

Senator BIDEN. This will be my last question, Mr. Chairman.

What percentage, if you can assess the percentage, of drugs coming into this country, into the United States, what percentage of these activities are a consequence of terrorist organizations?

Mr. WESTRATE. That is a complicated answer, in this respect. I think a small percentage is in terms of saying that a terrorist group is actually a drug smuggling group. In that respect it is relatively small.

But if we step back and look at the function of an insurgent group, for example FARC in Colombia, SUA and the BCP in Southeast Asia, in terms of their control and facilitation of source area production, if you look at it from that area you would say it has a very significant impact.

So, I think you would have to define a little bit, if we are talking source countries, which drug are we talking about, and which insurgents are involved in what we are considering.

Senator BIDEN. Let us be specific—Colombia. What percentage of all of the drugs coming out of Colombia to the United States would you assess—the DEA assess—is controlled by terrorist organizations?

Mr. **Westrate**. I would say a small percentage of the transshipment is controlled. But if we look at production, of course, Colombia is one of the smaller producers of the coca bush. If we look at the production which is in Colombia, in the Llanos, which is mostly controlled by FARC insurgent groups, I would say that the production is significantly controlled.

Once it is produced, however, and we break away from the marriage of that particular insurgent group and get into the transshipment and shipment organizations of a Pablo Escobar or a Carlos Lehder, the further down that chain you get, frankly, the further away you get from an established terrorist organization. I would have to answer it in that way.

Senator **Biden**. Thank you, Mr. Chairman.

Senator **Denton**. Thank you very much, Mr. Taylor, Mr. Westrate. You have been very valuable witnesses, and you can look forward to receiving some questions from us, to which we hope you will respond promptly.

Mr. **Westrate**. Thank you.

Mr. **Taylor**. Thank you.

Senator **Denton**. Now I will ask to come forward Dr. Yonah Alexander of the Georgetown Center for Strategic and International Studies. Dr. Alexander has worked frequently with the Judiciary Committee and the Subcommittee on Security and Terrorism on the subject matter addressed today. He is an associate of Dr. Cline, who testified yesterday, and we are looking forward to his testimony and perhaps an opening statement.

Mr. Alexander.

STATEMENT OF YONAH ALEXANDER, PROFESSOR OF INTERNATIONAL STUDIES AND DIRECTOR, INSTITUTE FOR STUDIES IN INTERNATIONAL TERRORISM, STATE UNIVERSITY OF NEW YORK, AND MEMBER, SENIOR RESEARCH STAFF, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES, GEORGETOWN UNIVERSITY

Mr. **Alexander**. Thank you, Mr. Chairman.

I have prepared a statement on narco-terrorism specifically dealing with some strategic considerations. In the interest of time, may I summarize my statement?

Senator **Denton**. Yes, of course. Your full statement will be included in the record.

Mr. **Alexander**. Thank you, Senator.

My academic work in this field convinces me that the problem of expanding terrorism is serious and poorly understood. Furthermore, the implications, both domestic and international, have scarcely been explored. Answers to the terrorist problem are elusive and need much greater attention.

If I may, I would like to focus on some strategic aspects of the terrorist-drug connection. I would like to relate two meetings I had with the victims of terrorism in the Middle East recently.

In August 1984 I interviewed Talal Fayad, a Shiite attorney from Ansar, South Lebanon. He was one of the founders of Amal, but he broke away from that movement because of policy differences with Nibihi Berri. He opposed the increasing communist influence in South Lebanon and sought accommodation with Israel and the United States.

Therefore, he was marked for assassination by a Shiite communist from South Lebanon by the name of Hamad Mansor, who had been trained in the Soviet Union. When Mansor came back to Lebanon, he apparently obtained some explosives in the Bekaa Valley, which became a major center for hashish and opium growing since it was occupied by the Syrian Army in 1976. Fortunately Mansor was apprehended by the local Lebanese militia and subsequently was imprisoned in the Ansar detention camp.

Earlier this year in Istanbul, I met with Sibel Ipekci, widow of Abdi Ipekci, the editor of the Turkish daily "Miliyet," who was assassinated by Mehmet Ali Agca some 5 years earlier. A Turkish Mafia godfather, Abuzer Ugurlu, who had been involved in massive drug trafficking and gun smuggling, recruited Agca to kill Ipekci, fearing that the editor would expose Ugurlu's drug traffic operations in Turkey.

Apparently Ugurlu served as a channel for the first phase of Agca's activity in preparation for the attempted assassination of the Pope in 1981. I believe that earlier Senator D'Amato referred to that case.

I think that these cases, which can be repeated, illustrate the complex nature of the terrorist-drug connection, also known as "narco-terrorism." More specifically, terrorists resort to a variety of means to cause conflict or unrest in the entire ideological, political, social, economic and strategic spectrum. Physical violence is only one method. Threats, psychological destabilization and drug trafficking are often equally dangerous to social stability.

Tragically, the failure of the international community to fully recognize terrorism as criminal behavior and as low-intensity warfare has encouraged the growth of terrorist activity in the last two decades.

Americans are the victims of a large percentage of recent acts of terrorism, suggesting a strategic international dimension of this phenomenon. Yet the Government and the American public have failed to appreciate the nature and the scope and the intensity of the terrorist threat. Americans tend to see terrorism as a mere nuisance or irritant. Consequently, the United States has not developed the commitment needed to deal with the problem.

Now, if I may, I would like to suggest a number of conclusions which, incidentally, I think were reinforced by the previous speakers this morning. One, although it is difficult to predict the future, it is safe to assume that terrorism is now an established mode of conflict. It will continue to persist through the 1980's and 1990's because many of the causes which motivate terrorists will remain unresolved, and new ideological and political confrontations will emerge within and among nations.

Two, drug trafficking is an important element of low intensity conflict. It is a calculated political-military struggle short of conventional warfare undertaken by states and their sub-state proxies in order to achieve ideological and political objectives.

Three, as a strategic tool of politics in the struggle for power within and among nations, the perpetrators of narco-terrorism target pluralistic societies, primarily Western Europe and the United States.

Four, the motives for drug trafficking are also tactical. They include a desire to obtain hard currency with which terrorists finance arms purchases with narcotics and to assure state sponsors a steady flow of intelligence from traffickers and weapons brokers.

Five, the major perpetrators of narco-terrorism are communist states, particularly Bulgaria, as well as some of the wild cards in the international system, such as Syria. The PLO serves as a primary vehicle for exporting narco-terrorism and destabilization in the Middle East and beyond.

And six, there are no simple solutions to the problem of narco-terrorism. The United States, as the leader of the free world, must adopt a strategy of denouncing and countering this serious form of destabilization. As the challenge of narco-terrorism is novel, so must the United States' response be novel.

Although it would be rather presumptuous on my part to offer any definitive suggestions as to how this could be achieved, may I recommend some preliminary steps. One, develop a comprehensive program of public awareness and education regarding the nature of narco-terrorism as a form of undeclared war being waged against pluralistic societies.

Two, strengthen the intelligence mechanism of the United States in order to provide for more effective collection and analysis of data.

Three, review the organizational structure of U.S. bodies concerned with narco-terrorism with a view of improving command and control capabilities.

Four, provide technical assistance in combating narco-terrorism to U.S. allies, particularly training for internal security organizations and police agencies.

And five, undertake specific political, diplomatic, and economic countermeasures against state sponsors of narco-terrorism, including withdrawal of diplomatic recognition of offending states and imposition of economic sanctions.

In sum, a coherent and firm U.S. policy on responding to narco-terrorism will increase public understanding and support. Otherwise, we will remain hostages to blackmailers well into the 21st century.

Thank you.

[Mr. Alexander's prepared statement follows:]

PREPARED STATEMENT OF YONAH ALEXANDER

Introduction

I am Yonah Alexander, Professor of International Studies and Director, Institute for Studies in International Terrorism, State University of New York (Oneonta, New York), and a member of the senior research staff, Center for Strategic and International Studies, Georgetown University (Washington, D.C.). I am also Editor-in-Chief of Terrorism: An International Journal and Political Communication and Persuasion: An International Journal.

I am very grateful to the Senate Judiciary Committee and the Senate Foreign Relations Committee for having invited me to testify at this joint hearing on "International Terrorism, Insurgency, the Drug Trafficking."

My academic work in this important field of public concern convinces me that the problem of expanding terrorism is serious and poorly understood. Furthermore, the implications, both domestic and international, have scarcely been explored. Answers to terrorist problems are elusive and need much greater attention.[1]

Focusing on some strategic aspects of the terrorist-drug connection in the Mideast context, may I relate two meetings I had with victims of terrorism.

In August 1984, I interviewed Talal Fayad, a Shi'ite attorney from Ansar, South Lebanon. A founder of Amal ("Hope"), Fayad broke away from the movement because of policy differences with Nibihi Berri. Fayad opposed the increasing communist influence in South Lebanon and sought accommodation with Israel. He was, therefore, marked for assassination by Hamad Mansor, a Shia communist from South Lebanon who had been trained as a terrorist in the Soviet Union. In late 1983, Mansor apparently obtained TNT from Shia communists located in the Bekka Valley of Lebanon, which became a major center for hashish and opium growing since it was occupied by the Syrian army in 1976.

Equipped with these explosives, Mansor attempted to place them at Fayad's house. He was apprehended by the local Lebanese militia and subsequently was imprisoned in Ansar's detention camp.

In January 1985, I met with Sibel Ipekci, the widow of Abdi Ipecki, the editor of the Turkish daily Miliyet, who was assassinated by Mehmet Ali Agca some five years earlier. Abuzer Ugurlu, a Turkish Mafia godfather who had been involved in massive drug trafficking and gun smuggling, recruited Agca to kill Ipekci, fearing that the editor would expose his operations in the press. Ugurlu also served as a channel for the first phase of Agca's activities in preparation for the attempted assassination of Pope John Paul II in St. Peter's square in 1981.

The investigation of Italian Magistrate Judge Carlo Palermo into The Papal shooting has uncovered new evidence of Agca's association with the Bulgarian Secret Service, a major arms-for-drugs ring in Italy, and with the PLO, where Agca received military training.

These cases, which can be duplicated, illustrate the complex nature of the terrorist-drug connection, also known as "narco-terrorism." More specifically, terrorists resort to a variety of means to cause conflict or unrest in the entire ideological, political, social, economic, and strategic spectrum. Physical violence is only one method of creating terror. Threats, psychological destabilization, and drug trafficking are often equally dangerous to social stability.

Tragically, the failure of the international community to fully recognize terrorism as criminal behavior and as low-intensity warfare has encouraged the growth of terrorist activity in the last two decades. The statistics of terrorist violence are, indeed, staggering. From 1970 to 1984, 22,457 domestic and international terrorist incidents occurred. A total of 41,000 individuals have been killed and another 24,000 wounded with property damage estimated at several billions of dollars.[2]

Americans are the victims of a large percentage of recent acts of violence by terrorists, suggesting a strategic international dimension of this phenomenon.[3]

Yet, the government and the American public haved failed to appreciate the nature, scope, and intensity of the terrorist threat. Americans tend to see terrorism as a mere nuisance or irritant. The result -- the United States has not developed the commitment needed to deal with the problem.

A Definitional Focus

The major reason for this failure is the definitional and moral confusion over what constitutes terrorism. This general uncertainty leads to an almost endless use of often vague terms, many dealing with the entire spectrum of conflict below the level of what is traditionally perceived as an internationally recognized state of organized war.

A working definition in the strategic context was drafted by Ray S. Cline and myself. It suggests that state-sponsored terrorism is:

> The deliberate employment of violence or the threat of use of violence by sovereign states or sub-national groups encouraged or assisted by

> sovereign states to attain strategic and political objectives by acts in violation of law intended to create overwhelming fear in a target population larger than the civilian or military victims attacked or threatened.

It is further suggested that recent history indicates:

> The main goal of state-sponsored terrorism now at the end of the twentieth century is to undermine the psycho-social stability and political governability of pluralist states with representative governments.[4]

Therefore, a distinction should be made between "terrorism" and other forms of low-intensity conflict such as "insurgency."

Ray S. Cline and I suggest the following distinction:

> Insurgency is a condition of armed revolt against a recognized government that does not reach the proportions of organizing a revolutionary government or being recognized as a military belligerent. Its targets are usually military forces or installations, and it follows international rules of armed conflict. It actively seeks a basis of popular support for the goals it espouses and, if successful, would eventually conduct guerrilla military operations and organize a revolutionary regime.
>
> The resort to terrorist methods by an insurgent group is a great temptation, particularly if a foreign state offers assistance in such tactics. These methods cannot be condoned, however, no matter how theoretically noble the objective may be. Insurgents using terrorist methods become outlaws in human society just as the nation state does that supports acts of terrorism.[5]

The Soviet Role in International Terrorism[6]

Clearly, the strategic thinking of a growing number of states calls for manipulation of terrorism as a suitable substitute to traditional warfare which becomes too expensive and too dangerous to be waged eyeball-to-eyeball on the battlefield.

The persistent strategic pattern of international terrorism assisted by, if not always controlled by, Moscow is a fact of life. Yet the scope and nature of Soviet involvement in terrorist activity is still obscure in the minds of many observers. It is fundamentally a secret or covert action program, ranging from the political legitimization of violence by propaganda to the supply of funds, training, arms, and encouragement of drug trafficking by surrogate states like Bulgaria and Syria.

That is, such illegal activities could not have been possible without the knowledge and at least tacit approval of Soviet officials in the surrogate nations. Moscow-oriented socialist states as well as the more extreme states of the international system, then, serve both as intermediaries between the Soviet Union and terrorists and as essential actors in assisting, or aiding and abetting, the promotion of ideological and political violence throughout the world.

The Bulgarian Terrorist-Drug Connection

In a meeting of the heads of the Warsaw Pact security services held in Moscow in 1967, shortly after the late Yuri Andropov became the head of the KGB, it had been decided that drug trafficking should be utilized as an instrument of subversion. Therefore, on July 16, 1970, the Bulgarian Committee for State Security (KDS) issued Directive M-120/00-0050 which outlined a calculated plan to hasten the "corruption" of Western democracies, "through, among other tools, the narcotics trade."[7]

As Moscow's most subservient ally, Bulgaria thus became the major center for a heroin and hashish network. Drugs were smuggled under the control of Kintex, the official Bulgarian state-run import and export agency, into Western Europe via the Soviet Union, East Germany, and Yugoslavia.

Kintex would then allow drug smugglers safe passage through Bulgaria. Drug smugglers would pay for Soviet-made weapons supplied by Kintex, in drug money mostly from sales of morphine base, heroin, or hashish. The drugs would then be smuggled to Western Europe and the United States.

Many drug rings have been uncovered and found to have a Bulgarian link. The largest of these is in the Italian city of Trento. There, almost 300 people have been imprisoned in what Italian police have described as the largest world organization of illegal arms traffic.

Bulgaria has supported various individuals, most notably Henri Arsan, a Syrian involved in major arms deals to the Mideast (including a reported attempted sale of atomic weapons to Syria); Sallah Wallak, a Syrian drug racketeer who used the profits for major arms transfers to the Mideast; and, Mehmet Ali Agca, the notorious Turkish terrorist.

The Italian investigation into the Papal shooting has exposed the connections between Agca and Bakir Celenk, another Turk involved in drug smuggling in Italy, who is now in Bulgaria under state protection. Agca has fingered Celenk as the man who introduced him to the Bulgarian Secret Service which allegedly paid him $1 million to kill the Pope. The investigation not only led to the arrests of almost 300 people in the drugs-for-arms ring in Northern Italy, but also brought to light Agca's training by the PLO.

It appears that Bulgaria needs hard currency. In addition, the arms-for-drugs exchange has become a means of satisfying ideological designs by aiding liberation movements through supplying weapons in exchange for currency.

Bulgaria has supplied many extremist groups with weapons, not necessarily to their liking. For example, the Bulgarians have supplied anti-government forces in Angola through shipments to South Africa, and in addition have supplied Lebanese Christian factions until the Shi'ites and their Palestinian allies complained that the weapons were being used against them.

Bulgaria also supplied both leftist and rightist terrorists in Turkey and contributed greatly to the chaos in that country which led to the September 1980 military coup.

Various intelligence sources believe that as much as a quarter of the heroin entering the United States passes through Bulgaria; that some 80 percent of heroin reaching West Germany is brought on Turkish trucks crossing Bulgaria; and that more than half of the weapons acquired by the PLO during the Lebanese war originated at the Bulgarian port of Varna. In addition, it is believed that 90 percent of the activities of the pro-Soviet Armenian Secret Army for the Liberation of Armenia (ASALA) and the non-Communist Justice Commandos of the Armenian Genocide (JCAG) are financed through the sale or barter of drugs-for-arms, often with Bulgarian links.

In sum, the direct involvement in the international narcotics-for-arms trade is supported by witnesses, exposure of rings, and circumstantial evidence. This barter system is an important vehicle utilized by Bulgaria, and indirectly by the Soviet Union, to destabilize the United States and U.S. friends abroad.

The Role of Syria and the Lebanese Experience[8]

Narco-terrorism is an adjunct to Syria's foreign policy in the Mideast and beyond. To oversee these operations Syria has set up an extensive organizational infrastructure in Syria, in Lebanon's Bekka Valley (which is under Syrian control), and in the major capitals of Europe where they are staffed by Ba'ath Party members and Syrian security personnel. This latter network is under the authority of the Syrian embassies enabling those engaged to use the diplomatic pouch for the transfer of drugs and arms.

Prior to the Lebanese civil war of 1975-76, hashish made up, perhaps, 10 percent of the crop in the Bekka Valley. With the entry of the Syrian army into Lebanon in 1976, hashish increased to almost 85 percent of the Bekka crop and provided up to 30 percent of Lebanon's foreign exchange.

The increase in hashish trade with the occupation of the Syrian army is no coincidence. An almost feudal system exists in Lebanon where all the warring factions are involved in the drug trade, each receiving a share of the profits. Moslems, Christians, Druze, and the PLO have turned to the drug trade to finance arms purchases. This activity has the blessing of the Syrian dictator Hafiz Assad. His brother, Riffat Assad, is reportedly at the top of the corruption ladder. The Syrian army controls many of the hashish fields, the Northern Lebanese truck routes and several Lebanese ports. It provides safe passage to smugglers for payoffs. Moreover, the Syrian Secret Services (Al-Istikhbaratt As-Souriat) even brought Turkish experts to grow heroin in the Bekka Valley. Syrian military helicopters are sometimes used to transport large quantities of drugs from the Valley to Syria. From there these drugs are shipped to Western Europe either by sea or by air.

The Israeli occupation in 1982 closed some of the ports to drug smugglers, forcing them to rely primarily on land routes, mostly through Syria. With the impending Israeli withdrawal from Lebanon, it is expected that maritime smuggling will intensify in the coming months.

Lebanon is, indeed, the world's largest hashish exporter. Raw marijuana is converted into hashish in laboratories controlled by the Syrians in Lebanon and Syria. The PLO provides delivery to these laboratories and to ports abroad where it is then smuggled. The local militias control the fields and the areas around the ports. Everyone gets a share in the profits.

These profits are enormous. Despite years of warfare, the Lebanese pound remains stable as does its economy, in general. Farmers in the Bekka Valley are very wealthy. One hotel owner described the people of the area as millionaires and Israeli police say that despite drug busts of major shipments of hashish across the border, the price of the drug in Israel remains low, because of a surplus of the drug. It is suggested that the Syrian fear of losing the income from drug-smuggling operations in Lebanon is a major reason for the Syrian desire to stay in that country. American sources have suggested that the attack on the U.S. embassy in Beirut served as a warning to Washington to leave the drug trade alone.

In short, the Syrian-Lebanese drug trade bankrolls terrorist attacks in the Middle East and beyond, and feeds raw material into the Bulgarian drug operation which is a major source of narcotics to Western Europe and to the United States.

The PLO's Narcotics Link[9]

The PLO is one of many terrorist organizations involved in the drug trade, and the drug trade is only one of many methods used by the PLO to increase its funding sources and thereby its weapons purchases.

During the February 1983 Palestine National Council meeting in Algeria, it was reported that the PLO, in desperate financial trouble because of its war with Israel and also because of unpaid Arab pledges, decided to expand its role in drug trafficking to increase its financial resources. Interestingly, the rivalry between Yasir Arafat and Abu Musa, backed by Syria, stems, partly at least, from their competition over the control of the drug trade.

Over the course of the years, the PLO has been involved in worldwide drug trafficking incidents. Included among the many countries in which PLO involvements have been uncovered are Britain, Sweden, West Germany, Canada, and the United States. In France, PLO agents were killed for apparently cutting into the territory of the local Mafia who dealt in the drug trade.

The important aspect of the drug traffic for the PLO is that it buys weapons with drug money. The PLO supposedly received over 50 percent of its weapons from Kintex during the Lebanese war. After the PLO's 1982 expulsion from Beirut, Bulgarian shipments of weapons were intercepted by Greek authorities on the way to North Yemen, where almost 5,000 PLO men were waiting to be rearmed.

In the United States, there have been a number of incidents of PLO members or sympathizers smuggling in drugs and smuggling out weapons. There have also been cases of arson, especially in the New York-New Jersey area, after which insurance money was passed on to the PLO. Also, there have been cases of government food stamp fraud and falsified insurance claims which raised funds for the same purpose. The PLO has even bragged of its role in the Israeli drug trade, where Jewish drug pushers were unknowingly passing on drug profits to the PLO.

Thus, the PLO, in carrying out drug-terrorist operations, serves basic Soviet geopolitical interests around the world.

Conclusions

Having studied the problem of terrorism over several decades, I wish to offer the following conclusions:

1. Terrorists are not born but created by particular historical, sociological, economic, and political conditioning process. Unlike ordinary criminals, terrorists are ostensibly dedicated to some ideological or political cause.

2. In contradistinction to their historical counterparts, terrorists have introduced into contemporary life a new breed of violence in terms of technology, victimization, threat, and response. The globalization and brutalization of modern violence make it abundantly clear that we have entered a new "age of terrorism" with all its frightening ramifications.
3. Terrorism poses many threats to contemporary society, and it is likely to have a serious impact on the quality of life and on orderly, civilized existence. Perhaps the most significant dangers are those relating to the safety, welfare, and rights of ordinary people, the stability of the state system, the health and pace of economic development, and the expansion or even the survival of democracy.

4. Terrorism is escalating into the struggle-for-power process as a form of surrogate warfare, whereby small groups with direct and indirect state support are able to conduct political warfare at the national level, and ultimately may even succeed in altering the balance of power on the international level.

5. Although predictions are hazardous, it is safe to assume that terrorism is now an established mode of conflict. It will continue

to persist through the 1980s and 1990s because many of the causes which motivate terrorists will remain unresolved, and new ideological and political confrontations will emerge within and among nations.

6. Drug trafficking is an important element of low-intensity conflict; it is a calculated political-military struggle short of conventional warfare undertaken by states and their sub-state proxies in order to achieve ideological and political objectives.

7. As a strategic tool of politics in the struggle for power within and among nations, the perpetrators of narco-terrorism target pluralistic societies — primarily the United States.

8. The motives for drug trafficking are also tactical, including a desire to obtain hard currency, to enable terrorists to finance arms purchases with narcotics and narcotics revenues, and to assure state-sponsors a steady flow of intelligence from traffickers and weapons brokers.

9. The major perpetrators of narco-terrorism are communist states, particularly Bulgaria, as well as some of the wild-cards in the international system, such as Syria. The PLO serves as a primary vehicle for exporting narco-terrorism and destabilization in the Mideast and beyond.

10. There are no simple solutions to the problem of narco-terrorism. The United States, as the leader of the free world, must adopt a strategy of denouncing and countering this serious form of destabilization. As the challenge of narco-terrorism is novel, so must the U.S. response be novel.

Recommendations

Although it would be rather presumptuous to offer any definitive suggestions as to how, at this time, this could be achieved, the recommendation of some preliminary steps might be useful.

1. Develop a comprehensive program of public awareness and education regarding the nature of narco-terrorism as a form of undeclared war being waged against pluralistic societies.

2. Strengthen the intelligence mechanism of the United States in order to provide for more effective collection and analysis of data.

3. Review the organizational structure of U.S. bodies concerned with narco-terrorism with a view of improving command and control capabilities.

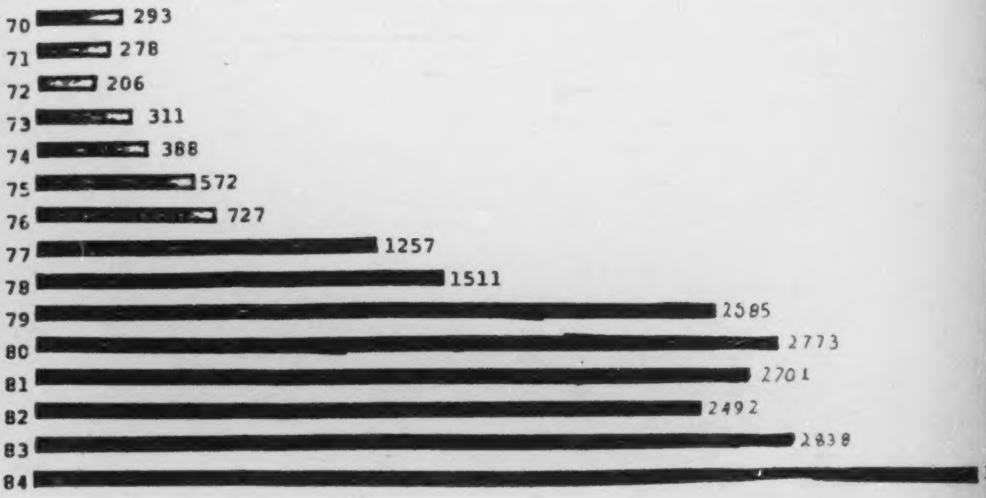
4. Provide technical assistance in combatting narco-terrorism to U.S. allies, particularly training for internal security organizations and police agencies.

5. Undertake specific political, diplomatic, and economic countermeasures against state sponsors of narco-terrorism, including withdrawal of diplomatic recognition of offending nations and imposition of economic sanctions (e.g., trade embargo and maritime blockades).

In sum, a coherent and firm U.S. policy on responding to narco-terrorism will increase public understanding and support. Otherwise, we will remain hostages to blackmailers well into the 21st century.

CHART OF DOMESTIC AND INTERNATIONAL TERRORIST ATTACKS WORLD WIDE

1970-1984



Source: Risks International Inc., Executive Risk Assessment (Apr

INTERNATIONAL TERRORIST INCIDENTS

AGAINST U.S. CITIZENS AND PROPERTY

BY TYPE OF EVENT

1973-1983

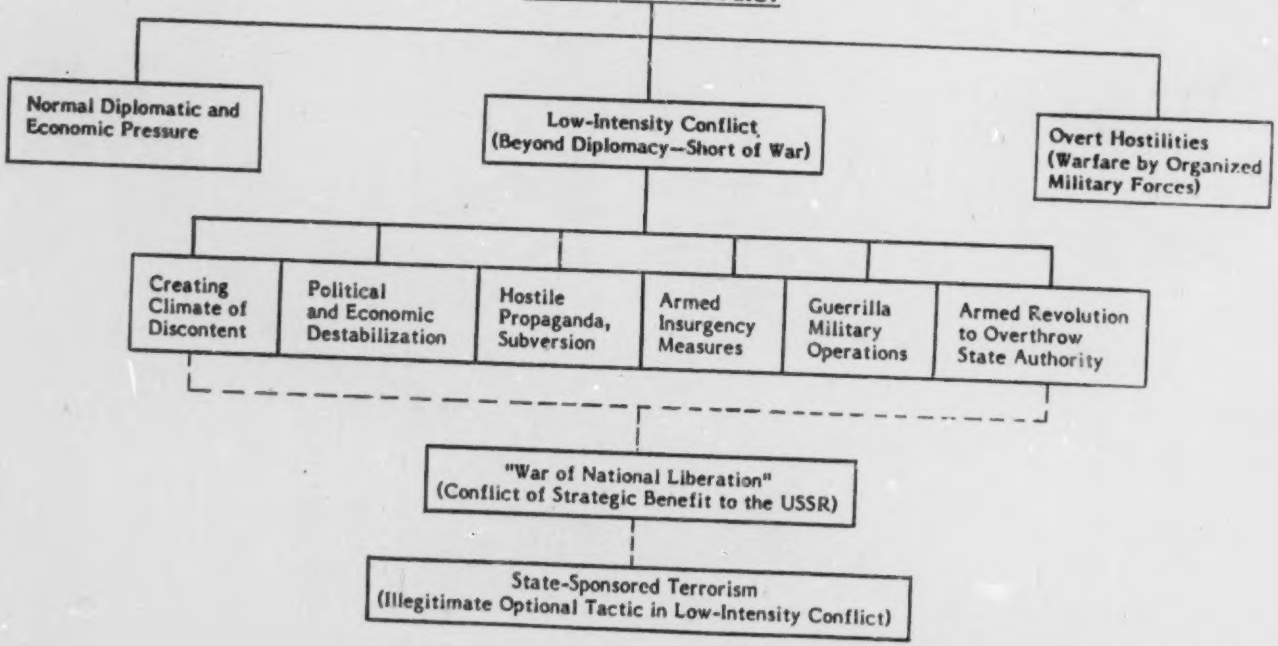
	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	TOTAL
KIDNAPPING	22	14	23	9	6	8	8	9	9	7	10	125
BARRICADE-HOSTAGE	3	2	1	2	2	0	6	6	1	3	8	34
BOMBING	106	130	94	112	125	158	115	95	93	168	96	1292
ARMED ATTACK/ ASSASSINATION	12	8	15	22	11	19	16	25	21	11	32	192
HIJACKING	0	1	2	5	4	2	12	20	18	10	1	75
OTHER*	81	32	27	67	35	184	79	117	115	202	66	1005
TOTAL	224	187	162	217	183	371	236	272	257	401	213	2723

* Includes Arson, Shipping, Threat/Hoax

Source: U.S. Department of State
Patterns of International
Terrorism: 1982 and 1983

Incorporated in: Ray S. Cline and Yonah
Alexander, "State-
Sponsored Terrorism,"
(Unpublished Report,
May 3, 1985), p. 113.

SPECTRUM OF CONFLICT


Normal Diplomatic and Economic Pressure
Low-Intensity Conflict (Beyond Diplomacy--Short of War)
Overt Hostilities (Warfare by Organized Military Forces)
Creating Climate of Discontent
Political and Economic Destabilization
Hostile Propaganda, Subversion
Armed Insurgency Measures
Guerrilla Military Operations
Armed Revolution to Overthrow State Authority
"War of National Liberation" (Conflict of Strategic Benefit to the USSR)
State-Sponsored Terrorism (Illegitimate Optional Tactic in Low-Intensity Conflict)

Source: Ray S. Cline and Yonah Alexander, "State-Sponsored Terrorism," (unpublished report, May 3, 1985) p. 51

FOOTNOTES

1. For relevant publications see, for instance, Tunde Adeniran and Yonah Alexander, eds. International Violence. (New York: Praeger Publishers, 1983); Yonah Alexander, ed. International Terrorism: National, Regional, and Global Perspectives. (New York: Praeger Publishers, 1976); Yonah Alexander, The Role of Communication in the Middle East Conflict: Ideological and Religious Aspects. (New York: Praeger Publishers, 1973); Yonah Alexander, Marjorie Browne, Allen and Ann Nanes, eds. Control of Terrorism. (Crane Russak and Company, 1979); Yonah Alexander, David Carlton, Paul Wilkinson, eds. Terrorism: Theory and Practice. (Boulder: Westview Press, 1979); Yonah Alexander and Charles K. Ebinger, eds. Political Terrorism and Energy: The Threat and Response. (New York, Praeger Publishers, 1982); Yonah Alexander and Robert A. Friedlander, eds. Self-Determination: National, Regional, and Global Perspectives. (Boulder: Westview Press, 1979); Yonah Alexander and John M. Gleason, eds. Behavioral and Quantitative Perspectives on Terrorism. (Elmsford, N.Y.: Pergamon Press, 1981); Yonah Alexander and Robert A. Kilmarx, eds. Political Terrorism and Business: The Threat and Response. (New York: Praeger Publishers, 1982); Yonah Alexander and Nicholas Kittrie, eds. Crescent and star: Arab-Israel Perspectives on the Middle East Conflict. (New York: AMS Press, 1972); Yonah Alexander and Kenneth A. Myers, eds. Terrorism in Europe. (New York: St. Martin's Press, 1982); Yonah Alexander and Alan O'Day, eds. Terrorism in Ireland. (New York: St. Martin's Press, 1984); Yonah Alexander and Seymour M. Finger, eds. Terrorism: Interdisciplinary Perspectives. (Maidenhead: McGraw Hill Book Co.,1978); Ray S. Cline and Yonah Alexander. Terrorism: The Soviet Connection. (New York: Crane Russak, 1984); Lawrence Z. Freedman and Yonah Alexander, eds. Perspectives on Terrorism. (Wilmington, Delaware: Scholarly Resources, 1983); and Eli Tavin and Yonah Alexander, eds. Psychological Warfare and Propaganda: Irgun Documentation. (Wilmington, Delaware: Scholarly Resources, 1982).

2. Statistics are drawn from material provided by Risks International, Inc. (Alexandria, Virginia). For a breakdown of data related to the number of terrorist incidents. See Chart, p. 14.

3. See, for instance, U.S. Department of State, Bureau of Intelligence and Research, Intelligence Brief (unclassified), December 21, 1984, and, U.S. Department of State, Bureau of Public Affairs, Combatting International Terrorism (March 5, 1985).

   For a statistical overview of international terrorist incidents against U.S. citizens and property by type of event (1973-1983). See Table, p. 15.

4. Ray S. Cline and Yonah Alexander, "State Sponsored Terrorism," (unpublished report, May 3, 1985), p. 40. For a schematic spectrum of conflict see p. 16.

5. Ibid., pp. 53-54.

6. For details see Cline and Alexander, Terrorism: The Soviet Connection, op. cit.

7. Reported by Colonel Stefan Sverdlev of Darzavna Sigurnost (DS), the Bulgarian subsidiary of the Soviet KGB. See Nathan M. Adams, "Drugs for Guns," Readers Digest (November 1983), p. 88.

   For other sources detailing the Bulgarian-drug-terrorist connection see, for instance, Paul B. Henze. The Plot to Kill the Pope. (New York: Charles Scribner's Son's, 1983); Claire Sterling's Time of the Assassins. (New York: Holt, Rinehart & Winston, 1984); Georgi Markov, The Truth That Killed. (New York: Ticknor & Fields, 1984); Vittorfranco S. Pisano, "Clandestine Operations in Italy: The Bulgarian Connection," Conflict Quarterly Winter 1984, pp. 28-38; Department of Justice, Drug Enforcement Administration Special Report, "The Involvement of the People's Republic of Bulgaria in International Narcotics Traffaicking," Unclassified, May 1984; Statement of John C. Lawn, Acting Deputy Administrator of the Drug Enforcement Administration on "Bulgarian Involvement in Narcotic Trafficking," before the House Foreign Affairs Committee Task Force on International Narcotics Control, June 7, 1984; Statement of Paul Henze, "Bulgaria and Narcotics — An Interlocking Web of Subversion," before the House Committee on Foreign Affairs Task Force on International Narcotics Control, June 7, 1984; Statement of William Von Raab, Commissioner of Customs, to the House Foreign Affairs Committee Task Force on International Narcotics Control July 24, 1984; The New York Times. January 11, 1980, December 12, 1982, January 28, 1983, June 10, and November 1, 1984; The Washington Post, May 15, 1983; The Wall Street Journal, May 13, 1983, August 11 and October 22, 1984; Christian Science Monitor, March 17, 1983 and June 13, 1984; The Baltimore Evening Sun, May 23, 1983; Los Angeles Times, December 23, 1983; Manchester Guardian, June 4, 1977; Time, February 14, 1983; and The Economist, August 4, 1984.

8. For media sources, see, for example, The Washington Post, March 24, 1983 and February 1, 1984; The Washington Inquirer, May 20, 1983, The New York Daily News, May 15, 1983; Time, December 19, 1983; FIBS (ANSA), March 13, 1984; Yediot Achronot, (Tel Aviv), May 16, 1983; The Jerusalem Post, January 4, 1985; and The Times (London), July 14, 1981.

9. For media reports, see, for instance The Washington Post, November 12, 1980; Time, July 18, 1977; The Jerusalem Post, May 29, 1980; Foreign Report, April 7, 1983; The New York Post, March 7, 1983; The Baltimore Evening Sun, May 23, 1983; and The Jewish Chronicle (London), April 15, 1983.

Senator **Denton**. Thank you very much, Mr. Alexander.

I am going to be brief, Senator Biden, because of the shortage of time and will submit most of my questions in writing.

I am sorry, Mr. Alexander, you got on so late. I would have no problem with your five recommendations. They are very similar to my own mind to get a program of general appreciation and education for the public, and we need that first in the establishment, which I think includes not only the government but also media, if we are going to get that information across to the people.

We need more intelligence capability, as you said. We need an organizational structure which is analyzed to do the job better in terms of command and control and other functions. We need to afford technical assistance for our allies, particularly with respect to helping them with their own internal security, especially when they are beset by state-sponsored groups within their own borders which are more powerful than they are.

And we should consider, as the media often insists, and with this I totally agree, to find some other means than military where at all possible to effect this assistance. Else we are being hostages.

One question. Would you say that it would be naive to conclude that Bulgaria can act as a major coordinator of the so many nefarious schemes in which they are involved, not only drugs but other functions, such as arms smuggling and that sort of thing, the Pope—would it not be naive to assume that they can do those things without the knowledge of the Soviets, who are their masters, at least without a lack of disapproval on the part of the Soviet Union and possibly with the Soviet Union's using them, as many think they are, as the dirty work surrogate?

Mr. **Alexander**. The answer, Senator, would be no. If we look at the record, we see specifically that the role of the Soviet Union in this field has not been changed since the 1920's, when the Soviets established the first training camp in Tashkent to train revolutionaries from all over the world.

And in fact, some of the declassified materials, such as the British Foreign Office documents, provide clear evidence that the Soviets planned in a very calculated way to prepare the infrastructure for terrorist activities over many years, whether in Latin America in the 1930's, when some of the KGB agencies had links with criminals there, or whether in Lebanon.

According to some of our recent studies, we uncovered that the Soviets in the 1930's sent entire families from Soviet Armenia into Lebanon to prepare an infrastructure for some future activities.

Basically, we do know that Bulgaria, which is Moscow's most subservient ally, clearly could not have acted without the knowledge and at least the tacit approval of the Soviet Union. In fact, according to some evidence that I believe was submitted in some testimony to the Senate, there was a meeting of the heads of the Warsaw Pact security services in 1967, shortly after Andropov became the head of the KGB, and it had been decided that drug trafficking should be utilized as an instrument of subversion. Therefore, the Bulgarians themselves initiated activity in this particular field.

Apparently there was a Bulgarian directive which outlined a calculated plan to hasten the corruption of Western democracies through, among other tools, the narcotics trade. I believe that if one looks at the evidence, the open sources available from the media, as reinforced in yesterday's and today's sessions, it became very clear that the Bulgarians are playing a role in the narcotics for arms trade.

I do not believe that there is a free enterprise system in Bulgaria of laissez faire, that would enable the Mafia to operate without the knowledge of the Bulgarian Government.

Senator **Denton**. I actually asked the question in the form of, would it not be naive to believe that they were not doing these things. You answered no, but then everything you said meant that you agreed with me and I agree with you.

Mr. **Alexander**. I meant yes.

Senator **Denton**. Go ahead, Senator Biden.

Senator **Biden**. Thank you.

Professor, your recommendations are I think helpful, although I would ask you for the record whether or not you can flush them out for us a little bit more. They are pretty broad, sweeping generalizations.

But let me ask you for one recommendation that is not here. I wonder whether it has been considered by you and rejected or not considered. Should we consider fighting terrorism with terrorism?

Mr. **Alexander**. Senator, let me respond to your question by saying that my colleague Dr. Ray Cline and I have just finished a study on state-sponsored terrorism, and we have offered very specific recommendations dealing with that issue. Hopefully, we can make it available to you and your colleagues, probably at the end of the month.

My recommendation, based on academic studies over many years and extensive field research, would depend, sir, on the perception of the nature of the threat. In other words, first I think that every nation must identify the problem and then develop a strategy in order to combat that particular problem or threat.

Now, in the United States, as I tried to indicate earlier—and this is critical—in the United States people look at terrorism in isolation, bombings here and, terrorist assassinations there. Americans do not see the problem in the context of state-supported terrorism. Indeed, the nature of war has simply changed, because war becomes too expensive and too dangerous to be waged eyeball to eyeball on the battlefield. Therefore, people have to get used to the reality, that it is not traditional warfare of missile against missile or man against man, but it is the delivery truck full of explosives driven by kamikaze terrorists—that may turn to be most destructive.

Now, it seems to me if those who are responsible for the security of U.S. citizens going abroad reach a decision that there is an imminent threat to the interests of the United States in strategic terms, then I am sure that a responsible government would know what to do.

There was no hesitation, for example, to respond effectively and to mobilize all forces when the United States was attacked at Pearl Harbor.

Senator **Biden**. Well, is that analogy not maybe a little inappropriate? Let me ask you the question more specifically. The Senator from Alabama has identified 2 or 3 or 4 or 10 terrorist organizations, some of which are state-sponsored, some are not state-sponsored.

Let us take the terrorist organization operating in Peru. Should we in fact use terrorist tactics to in fact engage that organization? That is question number one. Let us talk about the different types of terrorist organizations.

You see, my problem, with all due respect, Professor, with professors, you are very professorial and you make broad sweeping statements such as, "Review the organizational structure of the United States bodies concerned with narco-terrorism with a view to improving command and control capabilities."

Well, I am still just a student and I do not know what that means. I know if I write that I get an A in the paper, but I do not know what it means. And so, to be real specific, should we—does the terrorist organization in Peru, does that constitute a threat to U.S. vital interests, U.S. security interests, the fact that all these drugs are pouring into the United States, poisoning this society? Or do you mean by strategic interests a threat to a military facility? I mean, I am not sure what you mean.

Mr. **Alexander**. By a strategic threat, I mean weakening the interests of the United States throughout the world in terms of the defense of this country, or challenges to maintaining the principles on which the United States was founded.

Senator **Biden**. Well now, wait a minute. You are confusing me. Let us make a distinction so I understand what you are talking about. Obviously, a strategic threat would be if we got word a terrorist organization was going to try to blow up one of our carriers in the Mediterranean or if they were going to try to blow up or do severe damage to a Pershing missile base or whatever. That is clear.

Mr. **Alexander**. Right.

Senator **Biden**. Less clear to me is if we have knowledge that a terrorist organization is involved with smuggling or allowing to be grown and ergo subsequently smuggled into the United States 500 tons of a narcotics drug, whether it is coke, heroin, whatever. Is that a strategic threat?

Mr. **Alexander**. In the long run, I think there is a cumulative impact, meaning that one cannot see such activities in isolation.

I agree with you that Peru is one particular instance. But one has to look also at other sources of narcotics such as the "Golden Triangle," the Middle East, and elsewhere. Consider the long run implications. I think that Senator Paula Hawkins in her hearings indicated that drug trafficking is one weapon used to cripple American society, one instrument to undermine the moral fiber of the young people of this country.

Senator **Biden**. I think, by the way, that you are much more likely, doctor, to be killed by the ultimate product of a drug trafficker—that is, being mugged in your parking lot at SUNY or wherever it is you teach because somebody wants your wallet in order to keep the drug traffic going, than you are to be killed by a Soviet missile or a Soviet bullet.

I fully believe that. To be self-serving, I was the first one, 8 years ago, who started hollering about our priorities here—it should have an equal priority with our defense budget. We should not be scraping here. We should be spending a great deal more money on this.

But my purpose is to try to get a sense of precision from you, and when I read your recommendations to understand what you mean when you use a phrase like "security interest." What do you mean by security interests, you, Mr. Alexander?

Mr. **Alexander**. OK. By security interests I mean the capability of this country to maintain the pluralistic system of the United States and its friends and allies abroad.

Senator **Biden**. So that would include everything, essential?

Mr. **Alexander**. Yes. But if I may refer, Senator, to the schema, to the diagram in my paper [indicating] in terms of the spectrum of conflict. At the left end of the spectrum lies normal diplomatic and economic pressure, which is permissible under international law, and at the opposite end lies low-level conflict.

Senator **Biden**. This all relates to state-sponsored terrorism?

Mr. **Alexander**. Yes, and I am concerned about this phenomenon simply because it is a new mode of warfare. And somehow, I do not think that the United States and its allies pay enough attention to low-intensity conflict.

Senator **Biden**. Let me ask you one more question. I know the chairman is anxious to close the hearing for this morning, and I understand that, too.

Have you reached a conclusion as to what states in the international community we the United States should at this point cut off diplomatic relations and impose economic sanctions, trade embargoes and maritime blockades? Can you enumerate for us what your research has indicated thus far with just what countries would justifiably fall under the dictum that you are suggesting here, which is cut off diplomatic relations, institute possibly a trade embargo, possibly a naval maritime blockade?

Have you reached any conclusion?

Mr. **Alexander**. Well, tentative conclusions because by its very nature the academic community is working only with open sources. We are not privy to any classified material.

The only suggestion I have is that the United States must have recourse to a wide range of responses to state-sponsored terrorism beginning with political and diplomatic pressures. I am not suggesting, for example, that the United States resorts to illegal operations and sends a commando unit to assassinate Libya's Qadhafi. What I am trying to underscore is that as long as nation states do not uphold basic principles of international behavior and advocate a double standard of morality, we are not going to be able to mobilize counterterrorism support. Consider the British attitude toward Libya after it launched an attack from its embassy in London. In spite of this abuse of diplomatic norms the British disposition was business as usual.

In short, we cannot speak from both sides of our mouth. If there is an imminent danger to national security, we should recognize that situation. Clearly, there are authorities within the government whose responsibility it is to analyze that sort of data. Armed with this information a responsible nation can then reach a decision to take appropriate action.

Senator **Denton**. Senator Biden, just in the interest of our own excellent communication and my complete confidence and trust in your goodwill, if I may offer a comment as to what I consider the threat to us to be, irrespective of delineating which terrorist groups are nationally sponsored and which are not, I believe it is a threat to the security of the United States when the following allies or friends of ours are being weakened and to a degree disillusioned with us in some cases because we are not supporting them against these terrorist groups which are hurting them in various degrees of damage.

In West Germany, the Red Army Faction, the revolutionary cells; in Italy, the Red Brigades, the Front Line; in Peru, the Sendero Luminuso; in Spain, the Basque ETA; in Turkey, the ASALA and Justice Commandos; in France, the Actione Direct; Israel, the PLO; Colombia, M-19, FARC, ELN; Honduras, the FPR; El Salvador, FMLN; Lebanon, the Islamic Amal, Islamic Jihad.

Bolivia is in great distress from various influences. Burma, the Shan United Army and the Burmese Communist Party; southwest Africa, SWAPO; South Africa, ANC; Taiwan, the WUFI and the Taiwan Independence Movement.

El Salvador is in some trouble, as you know, and there is a credibility problem involved with our not doing what John Kennedy said we would do, which is support our friends against the threats to their freedoms. And granted, we cannot just continue to fight all the battles around the world as international gendarmes. But at least I guess we can help them.

And I do believe—in some we help them—that our security is threatened when their strength is threatened and when our trade with them is modified, reduced. So I think there are economic, political, as well as strategic threats to our security overall as a result of this new force and trend in international affairs. And I just offer that to you as a personal observation.

Senator **Biden**. I do not disagree with that, and I would take it one step further, Senator. I believe our security is threatened when this Government fails to crack down on the Mafia.

Senator **Denton**. I totally agree with that, too.

Senator **Biden**. We do not even have to go to SWAPO. We can start right here. We have our hands full.

But the point that I was trying to make was in no way to suggest that what you suggest is not correct, professor. I just wanted to know with more precision what you are saying, because you go to great lengths in your statement to define with precision what you mean by an insurgency.

Mr. **Alexander**. Yes, sir.

Senator **Biden**. And I mean this in a complimentary way. You give a classic professorial dissertation on what insurgency means, because you understand that is an important thing for us to understand. And all I was trying to get was equally as precise a definition of what you mean when you use the term security interest.

I happen to think the control of drugs is in our security interests—unlike our military men. Our military men view this drug problem as the bottom of the line. I think instead of us spending over $300 billion on our military establishment, we would be better served in terms of our security interest if we spend $275 billion on the military and another $25 billion on this.

But we do not seem to view it that way. And so I know what I mean by security. I just wanted to make sure I understood what you meant by security. You answered the question. I appreciate it.

And I think that we are going to in fact be going through an education process here for some time. I just hope we don't take too long to arrive at the conclusion that this is not only a multifaceted problem, but one, as you point out, that our friends which Senator Denton and I believe we should support, like Great Britain or France, in fact seem to be operating at odds with themselves with regard to Libya, for example, with regard to Syria, for example. So that, as you know, sometimes they make it hard to help.

But at any rate, I thank the Chair for his pursuing and continuing to pursue these hearings, and look forward to the next day.

And thank you, professor.

Senator **Denton**. Thank you for your continued interest and excellent input, Senator Biden.

Mr. Alexander, before leaving, in your book "Terrorism: The Soviet Connection," you use significant testimony on SWAPO and ANC from our 1982 hearings. We have received new evidence of SWAPO and ANC terrorism directed against the people of Namibia and South Africa respectively. The information comes from the Southwest Africa Territory Forces and from the Office of the Administrator General and from the South African police.

Without objection, I would like to place this new information in the record.

[The material referred to follows:]

ANNEX A

HOOFKWARTIER SWA GEBIEDSMAG
SWA TERRITORY FORCE HEADQUARTERS

Privaatsak/Private Bag 13220
Tel 204911 Windhoek 9000

ATROCITIES IN SWA

1. In a well orchestrated propaganda campaign against the security forces, the security forces are continually being accused of committing atrocities. SWAPOs atrocities, on the other hand, are not given the same prominence and an imbalance is presented to the general public.

2. Since 1979 SWAPO has committed the following atrocities against the local population, and very little prominence has been given to these acts by the media and other organizations.

SWAPO ATROCITIES.

Atrocity	1979	1980	1981	1982	1983	1984
	a	b	c	d	e	f
Local population killed in landmine incidents	54	125	65	44	15	39
Local population injured in landmine incidents	98	173	144	70	30	78
Local population murdered	88	48	95	70	76	4[illegible]
Local population abducted	474	308	113	171	276	[illegible]

APPENDIX A

SWAPO ATROCITIES AGAINST CIVILIANS - 1983

JANUARY

Date	Time	Position	Atrocity
a	b	c	d
01 Jan 83	21h00	12Km SSW of Mahanene (Ovambo)	SWAPO Terrs abduct 42 x local pop to Angola.
02 Jan 83	16h00	05Km S of Ombahu (Ovambo)	SWAPO Terrs murder 1 x local pop.

FEBRUARY

Date	Time	Position	Atrocity
a	b	c	d
02 Feb 83		74Km E of Oshivello (Ovambo)	SWAPO Terrs fire on civilian vehicles.
05 Feb 83	16h50	08Km NW of Mahanene (Ovambo)	SWAPO laid mine kills 1 x child.
13 Feb 83	21h00	07Km S of Katwitwe (Kavango)	SWAPO Terrs attack civilian Bushman settlement. 3 x Women and 3 x children killed. 2 x Men and 2 x children wounded.
19 Feb 83	14h00	20Km SW of Ombalantu	SWAPO Terrs abduct 3 x school teachers and 35 children to Angola.
21 Feb 83	20h30	Tsandi (Ovambo)	SWAPO Terrs attack the kraal of headman Tsaipopi.
22 Feb 83	02h00	20Km SE of Ruacana	SWAPO Terrs bayonet 1 x woman and 1 x child to death. 1 x Wounded.
22 Feb 83	08h57	20Km SE of Ruacana	SWAPO laid landmines kill 1 and wound 2 civilians at the scene of above-mentioned crime.
22 Feb 83	09h15	20Km SE of Ruacana	SWAPO laid landmine destroys civilian vehicle. 2 x Killed and 2 x injured.
22 Feb 83	19h00	15Km NW of Ombalantu (Ovambo)	SWAPO laid landmine destroys civilian vehicle. 5 x Local pop injured.
23 Feb 83	23h30	25Km SSE of Tsandi (Ovambo)	SWAPO Terrs murder 1 x local pop.

MARCH

Date	Time	Position	Atrucity
a	b	c	d
01 Mar 83		11Km SW of Ongandjera	SWAPO Terrs murder 1 x local pop.
03 Mar 83	09h00	14Km NNE of Ombalantu	SWAPO Terrs abduct 30 school children to Angola.
04 Mar 83	13h00	25Km E of Ruacana	SWAPO Terrs abduct 62 school children and 2 teachers.
05 Mar 83	02h50	Ongwediva	SWAPO Terrs attack civilian settlement. 1 x Local pop killed and 4 x local pop wounded.
06 Mar 83	23h30	8Km NW of Mahanene	SWAPO Terrs murder 1 x local pop outside his settlement.
14 Mar 83	12h22	Farm Leeulaagte	SWAPO Terrs abduct 1 x local pop.
15 Mar 83	15h00	7Km NE of Ondangwa	SWAPO Terrs kill 1 x woman. At a later stage her husband, headman of civilian settlement, is killed by a landmine laid at his wife's murder scene. 3 Other civilians are injured by the same explosion.
15 Mar 83	10h20	12Km NW of Kundu	SWAPO Terrs abduct 12 school children.
15 Mar 83		25Km SW of Kundu	SWAPO laid landmine kills 1 x local pop cattle.
22 Mar 83	19h00	5Km NW of Ombalantu	SWAPO laid landmine injures 5 x local pop and destroys their vehicle.
24 Mar 83	09h40	Oshakati	SWAPO bomb destroys part of a cuca shop.
25 Mar 83	03h30	Nkongo	SWAPO Terrs attack cuca shop. 1 x Local pop injured during attack.
25 Mar 83	12h30	15Km E of Okalongo	SWAPO Terrs murder 1 x woman.
26 Mar 83	23h00	15Km SW of Mahanene	SWAPO Terrs attack a civilian settlement - nobody injured but the whole settlement destroyed.

APRIL

Date	Time	Position	Atrocity
a	b	c	d
01 Apr 83	13h00	2Km S of Oshakati	SWAPO grenade injures 2 x children.
02 Apr 83	18h00	3Km S of Oshakati	SWAPO laid landmine injures 2 x children.
05 Apr 83	15h45	Ojindmba	SWAPO Terrs abduct 25 x children.
08 Apr 83	12h00	55Km NW of Oshivello	SWAPO Terrs murder 1 x local pop.
08 Apr 83	21h00	10Km SE of Nepra	SWAPO Terrs murder 1 x teacher.
14 Apr 83	16h30	5Km NW of Okongo	SWAPO rifle grenade injures 1 x child.
15 Apr 83	13h20	7Km S of Ruacana	SWAPO laid landmine kills 9 x local pop and injures 1 x local pop. The vehicle is completely destroyed.
18 Apr 83	01h00	34Km E of Ruacana	SWAPO Terrs abduct an unknown number of children.
18 Apr 83	15h00	10Km W of Oshakati	SWAPO grenade kills 2 x children.
18 Apr 83	21hoo	10Km E of Ondangwa	SWAPO Terrs destroy 1 x civilian vehicle.
20 Apr 83	17h00	24Km S of Oshikango	SWAPO grenade kills 1 x child and injures 7 other children.

MAY

Date	Time	Position	Atrocity
a	b	c	d
03 May 83		20Km SE of Ondangwa	SWAPO Terrs murder 1 x woman.
04 May 83	24h00	Mibeyo	SWAPO Terrs murder 1 x man with knife.
05 May 83	01h15	Ohaugve	SWAPO Terrs attack civilian settlement with mortars.
05 May 83	18h00	Tsandi	SWAPO laid landmine injures 2 x civilians.
06 May 83		8Km NE of Eenhana	SWAPO Terrs murder 1 x headman and steal some of his possessions.

MAY

Date	Time	Position	Atrocity
a	b	c	d
09 May 83	12h00	20Km W of Ndula	SWAPO Terrs abduct 10 x women.
09 May 83	01h00	25Km W of Etale	SWAPO Terrs murder 1 x woman.
15 May 83	10h00	Rupara	SWAPO Terrs plunder and destroy a cuca shop.
16 May 83	12h00	± 12Km W of Oshikango	SWAPO Terrs murder 1 x woman.
17 May 83	12h00	± 2Km NE of Okalongo	SWAPO Terrs murder 1 x man.
20 May 83	19h00	Mpungu	SWAPO Terrs murder 1 x man (Emil Mboto) and steal of his possessions.

JUNE

Date	Time	Position	Atrocity
a	b	c	d
02 Jun 83	09h20	3Km S of Concor	SWAPO laid anti-personnel mine injures 2 x children.
03 Jun 83	12h00	30Km S of Mahanene	SWAPO Terrs ambush chief Shoya and 3 x administrative officials in their vehicle.
06 Jun 83	19h00	Orokone	SWAPO Terrs abduct 1 x Himba man.
14 Jun 83	23h00		SWAPO Terrs murder 2 x civilians.
15 Jun 83	07h17	15Km NE of Ombalantu	SWAPO Terrs attack headman Andreas Sjoka's settlement. 3 x Civilians are injured during attack.

JULY

Date	Time	Position	Atrocity
a	b	c	d
03 Jul 83	10h45	7Km S of Eenhana	SWAPO laid landmine kills Philipus Tandoka, his father and 6 x children. 1 Other civilian is seriously wounded.
07 Jul 82	01h00	15Km E of Nkongo	SWAPO Terrs murder Immanuel Shidolo outside his kraal.
13 Jul 83		15Km E of Etale	SWAPO Terrs abduct 2 x civilians.
18 Jul 83	23h00	Tjoha	SWAPO Terrs abduct Johannes Hasambo. He is murdered on the following day.
19 Jul 83	22h00	Mpungu	SWAPO Terrs kill Philipus Gangoma outside his settlement.
30 Jul 83	02h00	Rupara	SWAPO Terrs kill one civilian and wound another.

AUGUST

Date	Time	Position	Atrocity
a	b	c	d
18 Aug 83	22h30	5Km SE of Ongwediva	SWAPO Terrs ambush civilian vehicles and abduct a headman.
19 Aug 83	21h00	Mpungu Valley	SWAPO Terrs abduct 2 x civilians.
23 Aug 83	08h00	Epupa	SWAPO laid mine seriously wounds 2 x civilians.
29 Aug 83	05h30	60Km S of Rundu	SWAPO laid mine severely damages heavy civilian vehicle.

SEPTEMBER

Date	Time	Position	Atrocity
a	b	c	d
02 Sep 83	17h00	Otjihavero	SWAPO Terrs abduct 6 x civilians.

OCTOBER

Date	Time	Position	Atrocity
a	b	c	d
11 Oct 83	20h00	Okaku (Owambo)	SWAPO Terrs abduct Markus Komraad.
14 Oct 83	22h00	Omadi (Owambo)	SWAPO Terrs murder Malahamba Maimulunde.
19 Oct 83	16h00	15Km N of Mpungu (Kundu)	SWAPO Terrs murder 2 x women and 1 x child.

NOVEMBER

Date	Time	Position	Atrocity
a	b	c	d
04 Nov 83	10h15	37Km SE of Mpuku	SWAPO Terrs attack an overnight camp of the Department of Agriculture.
18 Nov 83	14h20	20Km NE of Ombalantu	SWAPO laid mine destroys donkey cart. 2 x Local pop. injured.
21 Nov 83	10h00	25Km N of Kasima	SWAPO Terrs murder 1 x local pop. with SKS bayonet.
25 Nov 83	09h10	Ruacana	SWAPO laid mine destroys civilian vehicle. 10 x Local pop. are killed and 6 x are wounded.
26 Nov 83	20h00	8Km W of Elundu	SWAPO Terrs murder a civilian, Kamati Haikondo.
29 Nov 83	07h30	4Km NW of Tonduro	SWAPO Terrs wound a civilian, Willem Mberevba.

DECEMBER

Date	Time	Position	Atrocity
a	b	c	d
01 Dec 83	18h00	Musese	SWAPO Terrs murder a civilian, Sihumbu Mpande and wound another, Simbunda Ndara.

DECEMBER

Date	Time	Position	Atrocity
a	b	c	d
14 Dec 83	18h00	15km SE of Ombalantu	SWAPO Terrs murder a civilian, - Paulus Eitia and wound three other civilians, Averia Simeen, Helui Namalenga and Ester Paulus.
19 Dec 83	01h30	10km SE of Nkurenkuru	SWAPO Terrs murder 1 x civilian, David Kampenge, with a Makarov pistol.
31 Dec 83	22h00	7km SE of Tondoro	Four SWAPO Terrs murder 1 x civilian with bayonet.

SWAPO ATROCITIES AGAINST CIVILIANS - 1984

JANUARY

Date	Time	Position	Atrocity
a	b	c	d
15 Jan 84	17h30	RV 5974 XL Klein Elundu Area	SWAPO Terrs abduct 4 x civilians
19 Jan 84	19h20	198576 16km west of Nkongo	SWAPO laid mine destroys civilian vehicle. 3 x Local pop injured
20 Jan 84	07h35	32km ESE of Okalongo	SWAPO laid mine destroys civilian vehicle. 3 x Local pop are killed and 5 x are wounded
20 Jan 84	13h30	8564 WN 5km SE of Evale	SWAPO laid mine injures 1 x civilian

FEBRUARY

Date	Time	Position	Atrocity
a	b	c	d
02 Feb 84	10h25	13km S of Ohamwimbi	SWAPO Terrs abduct 4 x local population

MARCH

Date	Time	Position	Atrocity
a	b	c	d
02 Mar 84	21h00	BR960265 Just South of Rupara	SWAPO Terrs fire upon vehicle. 1 Civilian killed and another wounded
06 Mar 84	11h50	15km East of farm Helena near Gobabis	SWAPO fire wounds 1 civilian
06 Mar 84	24h00	BR5244 Kahenge	SWAPO Terrs murder 2 x civilians
09 Mar 84	20h30	Oshikuku	SWAPO mortar fire wounds 2 x civilians
16 Mar 84	21h00	810220CR Kayengona	SWAPO Terrs murder a civilian, Emanuel Salono
21 Mar 84	19h00	7248WL 6km NE of Omundudu	SWAPO Landmine damages civilian vehicle

MARCH

Date	Time	Position	Atrocity
a	b	c	d
29 Mar 84	16h00	Onandiera Area	SWAPO Terrs abduct 4 x local population.
29 Mar 84	10h00	Okaka Area - 8km NE of Onheleiwa	SWAPO Terrs kill 1 x civilian with AK-47 assault rifle.
30 Mar 84	21h00	10km N of Ohangwena	SWAPO laid landmine kills 2 x local population children.

APRIL

Date	Time	Position	Atrocity
a	b	c	d
02 Apr 84	15h45	15 km E of Omboloko	SWAPO laid landmine injures 1 x civilian
02 Apr 84	18h40	10 km N of Tsandi	SWAPO Terrs murder 2 x local population by shooting them through the head with AK-47 assault rifles.
08 Apr 84	02h00	7 km NW of Ongandjera	SWAPO Terrs fire upon local population with RPG-7 and AK-47 assault rifles, injuring 3 x civilians
15 Apr 84	16h10	ENOK garage Oshakati	A bomb planted by SWAPO terrs kills 1 x Namibian civilian and 2 x members of the United States Liaison office in Namibia. 4 x Other civilians were injured in the blast.
15 Apr 84	20h00	10 km E of Engela	SWAPO Terrs murder 1 x civilian, Lucas Shipulwa-Hamukuafa, by hitting him on the head with a hoe.
17 Apr 84	10h00	6 km NNE of Mahanene	SWAPO Terrs murder 1 x civilian with pistol.
19 Apr 84	21h00	13 km SW of Ongandjera	SWAPO Terrs attack kraal of headman Amotenja Njalo and kill his 9 year old son.
20 Apr 84	10h45	21 km E of Nkongo	SWAPO laid landmine kills 3 x local population and injures 2 others.
25 Apr 84	15h00	20 km NE of Oshigambo	SWAPO laid landmine kills 2 x local population and injures 5 others.

MAY

Date	Time	Position	Atrocity
a	b	c	d
01 May 84	11h30	10km E of Anamulenge	SWAPO Terrs kill 2 x local population by cutting their throats
01 May 84	14h20	5km N of Onheleiwa	SWAPO Terrs abduct 1 x civilian
02 May 84	22h15	7km NE of Oshikango	SWAPO Terrs attack kraal of headman Gabriel Katomba
02 May 84	24h00	20km ENE of Rundu	SWAPO Terrs abduct the son of headman Sambui's foreman. Later he escapes
03 May 84	16h45	Elundo Area	SWAPO Terrs detonated a bomb at the tribal office
03 May 84	16h00	15km N of Okalongo	SWAPO Terrs abduct 2 x children and steal 29 head of cattle from headman Lucas
05 May 84	16h00	5km SE of Onamundindi	4 x Fleeing SWAPO terrs wound headman Nesto Komati and kill 2 x civilians
05 May 84	15h00	16km N of Ombombo	SWAPO Terrs fire at headman Jaffat's vehicle killing 2 x civilians and wounding 1 x civilian
11 May 84	07h20	9km NW of Onganjera	A civilian vehicle detonates a landmine laid by SWAPO terrs, injuring 5 x civilians of which 3 are seriously injured
11 May 84	01h05	Ombalantu	Mortars fired by SWAPO terrs injure 2 x local population
12 May 84	11h00	15km NW of Ruacana	A SWAPO laid landmine kills a horse and its rider
13 May 84	19h02	15km NNE of Elundu	A SWAPO laid landmine injures 1 x civilian child
16 May 84	19h40	Windhoek	A bomb planted by SWAPO terrs injures 2 x civilians
17 May 84	07h45	5km S of Oshigambo	SWAPO Terrs murder 1 x civilian by shooting him through the head with a Makarov pistol

MAY

Date	Time	Position	Atrocity
a	b	c	d
21 May 84	17h30	5km NW of Oluvongo	SWAPO Terrs abduct 1 x female teacher
26 May 84	23h30	10km SE of Ongandjera	Mortars fired by SWAPO terrs injured 1 x civilian woman and burned down the kraal of headman Ristof Komati
26 May 84	18h00	1km N of Simanya	SWAPO Terrs abduct Petrus Kalurata (25) and Kasera Nbunga (15) and later kill them with bayonets
29 May 84	14h17	6km NE of Ongandjera	1 x Civilian vehicle detonates SWAPO laid landmine. 1 Man lost his leg and the other was less seriously injured
30 May 84	10h50	Oshakati	A bomb planted by SWAPO terrs at a shop entrance injures 2 x local population
30 May 84	14h45	Onagwena	A bomb planted at a tribal office by SWAPO terrs injures 1 x Wambo civilian
30 May 84	18h30	5km N of Calueque	A donkey cart detonates a SWAPO laid landmine killing 3 x civilians and injuring 1 child seriously
30 May 84	21h00	Nzinze	SWAPO Terrs murder a teacher, Tauro Kanguibe

JUNE

Date	Time	Position	Atrocity
a	b	c	d
04 Jun 84	12h00	Rundu	A bomb planted by SWAPO in front of the Erambo butchery kills 1 x civilian and injures 3 others
05 Jun 84	08h00	ENOK Meat Factory Oshakati	A bomb planted by SWAPO terrs injures 2 x local population
05 Jun 84	16h00	20km NW of Etale	A SWAPO laid mine seriously injures a Wambo boy, Cleopas Ndaftabe

a	b	c	d
05 Jun 84	17h50	10km N of Oshakati	A civilian vehicle detonates a SWAPO laid landmine, killing 3 x local population
06 Jun 84	07h30	20km N of Oshigambo	A SWAPO laid landmine kills a Wambo boy, Festus Nambuli (13)
11 Jun 84	01h00	2km N of Ombo=loko	SWAPO Terrs abduct 9 x school=children from their school at Efinde
12 Jun 84	17h15	10km N of Katon=do	SWAPO Terrs assault and rob a civilian, Luki Johannes
12 Jun 84	20h00	7km NW of Oshi=kango	SWAPO Terrs abduct Matheus Johan=nes Haifeni from his kraal
14 Jun 84	20h00	10km NEof Onhe=leiwa	SWAPO Terrs murder 1 x civilian, Isreal Haindomgo, with Makarov pistol
15 Jun 84	15h00	10km NE of Elun=du	A SWAPO laid landmine kills 1 x Wambo child and injures 1 x child seriously
16 Jun 84	17h10	5km E of Elondo	SWAPO Terrs abduct Ananias Angua (35), Nanoigola Shianangwa (30) and Mandume Arugulo (13).
19 Jun 84	15h05	7km N of Oshi=kango	SWAPO Terrs murder 1 x civilian
19 Jun 84	21h55	15km S of On=gandjera	SWAPO Terrs attack a kraal and wound 1 x Wambo woman
23 Jun 84	14h35	10km S of Omun=gvulume	A civilian vehicle detonates a SWAPO laid landmine, killing a Wambo men and women and injuring 2 x woman seriously
23 Jun 84	24h00	13km N of Nepara	SWAPO Terrs murder a teacher, Petrus Kanyeke, and a Wambo man, Sikongo, with knives
24 Jun 84	21h00	8km NE of Omun=gnelume	SWAPO Terrs abduct 1 x civilian, Jona Petrus (55)

JULY

Date	Time	Position	Atrocity
a	b	c	d
02 Jul 84	15h00	[illegible] NW of [illegible]	A civilian vehicle detonates a SWAPO laid landmine, injuring 6 x civilians

a	b	c	d
04 Jul 84	09h00	Ongali Area	3 x SWAPO Terrs keep a Wambo woman hostage for the night
05 Jul 84	13h45	2km NW of Oshakati	SWAPO Terrs detonate an explosive device near the entrance of ENOK wholesaler, injuring 1 x civilian
05 Jul 84	14h15	Ondangwa	SWAPO Terrs detonate bombs at a shop and a bottle store. The explosion at the bottle store injures 2 x civilians of which a Wambo man is seriously injured
05 Jul 84	20h50	Katutura	SWAPO Terrs detonate an explosive device at the NASOU offices
08 Jul 84	20h00	4km N of Ongandjera	SWAPO Terrs abduct 2 x teachers, Ananias Anguuo Kendjel and Nandigolo Kamela Aluma and a pupil Sahens Angurro Mandume
11 Jul 84	00h30	9km W of Omumwelume	SWAPO Terrs abduct Simon Hamunjela (35) and steal his vehicle
11 Jul 84	16h00	18km NE of Oshuli	SWAPO Terrs abduct 5 x civilians, Petrus Lukas, Nataniël William, Denis Johannes, Joël Joseph and Andries William
11 Jul 84	21h00	10km SW of Oshigambo	SWAPO Terrs attack the cuca of Willie Umbili, killing the nightwatch Michael Matheus (50)
17 Jul 84	21h00	Oshakati	SWAPO Terrs detonate an explosive device and damage 2 x schoolbusses belonging to the Wambo secondary school
15 Jul 84	14h00	18km N of Etale	SWAPO Terrs abduct a civilian woman and her baby
21 Jul 84	12h00	68km WNW of Etengua (281901TL)	SWAPO Terrs abduct 6 x local population, one later escapes
29 Jul 84	21h47	Tsumeb	SWAPO Terrs damage a Mobil garage by detonating a bomb
30 Jul 84	10h00	10km NE of Oshakati	A SWAPO laid landmine kills a civilian man, a boy and the horse they were riding on
30 Jul 84	18h00	16km W of Eenhana	A SWAPO Terr wounds a man, woman and child with an AK47 assault-rifle at a cuca shop

a	b	c	d
31 Jul 84	02h00	Oshakati	SWAPO Terrs slightly damage the Oshakati State Hospital with mortar fire

AUGUST

Date	Time	Position	Atrocity
a	b	c	d
03 Aug 84	11h00	13km NE of Oshikuku	A civilian vehicle detonates a SWAPO laid landmine, killing 2 civilians and injuring 4 seriously
04 Aug 84	11h00	1½km W of Miershoop	SWAPO Terrs abduct 6 civilians and steal a vehicle. Later they burn the vehicle and steal another one
12 Aug 84	11h40	2km SE of Ohalushu	A civilian vehicle detonates a SWAPO laid landmine, killing 3 x Wambo civilians
16 Aug 84	17h20	20km NNW of Oshakati	A civilian vehicle detonates a SWAPO laid landmine, killing 4 x civilians and injuring 3 other
23 Aug 84	14h45	3km SE of Ondangwa	A SWAPO bomb damages a tribal office and injures 1 x civilian

SEPTEMBER 1984

Date	Time	Position	Atrocity
a	b	c	d
04 Sep 84	16h00	9km N of Elombe	A civilian vehicle detonates a SWAPO laid landmine, killing a civilian and injuring 3 others
14 Sep 84	17h00	16km NE of Ombalantu	SWAPO Terrs murder a civilian with an AK-47 assault rifle
26 Sep 84	17h30	6km NW of Oshikuku	A civilian vehicle detonates a SWAPO laid landmine, killing 1 x local population

OCTOBER

Date	Time	Position	Atrocity
a	b	c	d
01 Oct 84	18h00	10 km NE of Ondobe	3 x Armed SWAPO Terrs abduct Lazarus Lukas, aged 22, at the Ondobe Cuca shop. Later he escapes and reports to a security force base
17 Oct 84	15h00	Ruacana Area	5 x SWAPO Terrs abduct Josef Okanjo. He later escapes near Eenhana and reports to a security force base

NOVEMBER

a	b	c	d
07 Nov 84	18h00	17 km E of Nkongo	A civilian vehicle detonates a SWAPO laid landmine, injuring 3 x local population seriously
12 Nov 84	01h30	Ulondu	A Wambo Administration vehicle detonates a POM - Z mine causing R10 000 damages
12 Nov 84		12 km SE of Okalongo	SWAPO Terrs shoot a civilian David Numilombo, with an AK-47 rifle
17 Nov 84		20 Km NE of Olango	SWAPO Terrs shoot a civilian woman
18 Nov 84	20h00	20Km SW of Ombalantu	2 x SWAPO Terrs murder a civilian woman, Bernedetta Bedeka, by shooting her with an AK-47 assault rifle and a Tokarev pistol
20 Nov 84	10h45	2 Km S of Onangwena	A civilian vehicle detonates a SWAPO laid mine next to the tarred road. 2 x Civilians are killed and a woman is injured
25 Nov 84		5 km W of Nepata	A SWAPO Terr shoots 1 x civilian, after he refused to give the terrorist money or lend him his motor car.

Date	Time	Position	Atrocity
a	b	c	d
02 Dec 84	19h00	10 Km W of Epembe	SWAPO Terrs attack a civilian vehicle on the road to Opuwa
80 Dec 84	20h00	10 Km N of Beacon 13	SWAPO Terrs murder Vice-headman Amntuti Menge
16 Dec 84	13h00	2,5 Km E of Nkongo	1 x local population detonates a SWAPO laid landmine. His foot was blown of and he later died of loss of blood
20 Dec 84	17h00	25 Km NNW of Oshigambo	18 x SWAPO Terrorists abduct 40 young civilian men and women
31 Dec 84	11h20	Ondangwa Post Office	SWAPO Terrorists place a bomb in the Post Office. The bomb explodes, killing 5 x civilians and injuring 23 other

Kantoor van die Administrateur-Generaal
Office of the Administrator-General

Annex B

ALLEGATIONS OF ASSAULT BY SWA/NAMIBIAN SECURITY FORCES

Allegations of atrocities committed by members of the Security Forces in Namibia have become commonplace in recent years. Many of these allegations have their origin in a fairly comprehensive propaganda campaign, intended by SWAPO and some of its supporters to discredit the Security Forces and undercut the legitimacy of the SWA Administration and its capacity to govern. As such these allegations are a commonplace feature of an insurgency campaign. Not all allegations are, however, unfounded. There have unfortunately been instances of mistreatment of civilians by members of the Security Forces. It is of importance, in a society claiming to uphold civilised standards, to establish the attitude and response of the authorities to such occurrences.

The Legal Position

Six articles of the (South African) Defence Act of 1957, as well as the schedule to the Act expressly prohibit any mistreatment of civilians. South African Defence Force and South West Africa Territory Force commanders have moreover issued standing orders and instructions to all units expressly forbidding such actions. All soldiers and policemen doing service in the operational area are obliged to sign solemn declarations that they are aware that any form of assault on or mistreatment of the civilian population is illegal and punishable by law.

Regulation 58 (56) of the South West Africa Police Regulations states that it is an offence for a policemen "to use unnecessary violence against a prisoner or other person under detention or to ill-treat such a person in any other way."

Extracts from other Security Force standing instructions, make the same point:

- "It is unnecessary to emphasize that any form of assault or mistreatment of detainees is both illegal and punishable..."
- "Commanding officers are required to take appropriate steps to eliminate any occurrence of assault or mistreatment. Subordinates must be cautioned at regular intervals to refrain from any such behaviour. Irregularities will not be left unpunished..."
- "Any complaint of assault, mistreatment or unlawful behaviour against a detainee must be immediately investigated, preferably by an independent branch of the (police) Force..."

It must also be borne in mind that martial law has not been proclaimed in Namibia and that all members of the Security Forces are subject to the statutory and common law of the land, which, of course, prohibit and prescribe criminal penalties in the case of assault.

Policy and Procedure

Both the South African government and the Administration of SWA/Namibia have repeatedly stated that they will not hesitate to act against members of the Security Forces who are found guilty of unlawful acts of violence. The people of Namibia are aware that they should report any complaints in this regard to the police and have indeed done so when circumstances warranted. Liaison committees have also been established in Oshikati and Rundu to receive any complaints of mistreatment.

A Defence Force liaison office at which complaints may be lodged, also exists in Windhoek. Any complaint lodged at these offices is investigated immediately. Boards of inquiry have been commissioned under the chairmanship of a senior Defence Force officer to investigate specific complaints of assault or mistreatment. Where circumstances warrant, such cases are submitted to the Attorney-General with a view to prosecution of the individual concerned. A list of prosecutions instituted, the findings of the courts and the sentences imposed is attached. (Annex A). Cases before the courts in which judgement has not yet been passed are also listed. (Annex B).

Similar procedures of departmental investigation and, where appropriate, prosecution, are applied by the South West African Police, who, in addition, routinely investigate any allegation of mistreatment by any member of the Security Forces. Police Force instructions provide that any member of the force guilty of unlawful violence will be summarily discharged, in addition to the criminal penalties which may be imposed by a competent court.

Finally, in an attempt to ensure that the existing legal framework in the Territory and its application by the persons charged therewith, is both fair and efficacious, bearing in mind the terrorist campaign waged by SWAPO, I have appointed a judicial Commission of Enquiry into Security Legislation under the chairmanship of the Honourable Mr Justice H P van Dyk. In addition to Mr Justice van Dyk, the Commission consists of four other members, including the SWA/Namibia Secretary for Justice and an advocate and an attorney in legal practice in Namibia.

As will be clear from the foregoing, any form of assault on or mistreatment of detainees or other civilians, far from being routinely applied as a matter of policy, is expressly and unqualifiedly forbidden and is punished both departmentally and by the courts. The system of prohibitions and penalties is not perfect; incidents do occur from time to time; but the perpetrators are then subject to the penalties prescribed by the criminal law.

Windhoek
22 January 1985

PROSECUTIONS INSTITUTED [illegible]

Name	Charge	Date of Sentence	Sentence
a	b	c	d
C. Diedericks H. Cloete	Murder	25/03/82	20 Years imprisonment 16 Years imprisonment
R.D. du Plessis	Arson	15/04/82	4 Years imprisonment
J. Afrikaner	Murder	21/05/82	8 Years imprisonment of which 3 years have been suspended
D. Steve	Assault Murder		15 Years imprisonment of which 3 years have been suspended
C. Adams	Rape	01/07/82	5 Years imprisonment of which 2 years have been suspended for 5 years plus 5 strokes
Lt Laubscher and Cpl De Kock	Assault	22/07/82	Lt Laubscher fined R75-00 Cpl De Kock sentenced to 60 days detention and degraded
W.J. Nel	Rape	04/08/82	3 Years imprisonment of which 2 years have been suspended for 3 years
J.S. August	Rape	05/08/82	R1000 fine or 1 year imprisonment. 3 Years suspended sentence plus 5 strokes
A. Shivute	Culpable homicide	06/08/82	7 Years imprisonment of which 3 years have been suspended for 3 years
Rfn Stanfried	Assault	10/08/82	40 Days detention
L/Cpl Hartenberg	Assault	24/08/82	Reprimanded
P.J. Hendriks A. Claasen M. Olivier	Rape	03/09/82	3 Years imprisonment of which 2 years have been suspended for 3 years

a	b	c	d
Sgt Le Roux Rfn Martin and Rfn Stefanus	Rape	01/10/82	2 Years imprisonment
J.M. Praia	Culpable Homicide Attempted murder	04/11/82	R500 fine or 6 months imprisonment 2 Years imprisonment suspended for 3 years
2Lt Gilomee	Assault	18/11/82	Fined R200
2Lt Papenfuss and Sgt Wait	Assault	24/11/82	2Lt Papenfuss fined R20 Sgt Wait reprimanded
D. Harris P. Mouton and D.S. Boonzaaier	Rape	01/12/82	4 Years imprisonment suspended for 5 years plus 5 strokes
Lt De Wet Rfn Sanson and Rfn Rossouw	Theft	10/12/82	Lt De Wet reprimanded Rfn Sanson sentenced to 40 days detention Rfn Rossouw fined R20
Lt Louw and Cpl Ackerman	Alleged theft	18/12/82	Not guilty
Pte M. Karunga	Assault	05/01/83	Fined R60
A Wanbo member of the SWATF	Murder	10/01/83	Accused killed during arrest
Cpl L. Nikodemus	Assault	11/01/83	8 Months imprisonment
Rfn J.P. Diedericks P.J. Troskie and M.A.P. Venter	Theft from cuca shop	31/01/83	150 Days detention of which 90 days have been suspended
T.E. Kruger and D. van der Heever	Murder	11/02/83	15 Years imprisonment 5 Years imprisonment
Rfn K. Matheus	Murder robbery	11/03/83	Not guilty
Pte P. Josef	Assault	05/04/83	R200 or 4 months imprisonment

a	b	c	d
Rfn L. Sorseb	Assault	12/04/83	R120 or 40 days imprisonment
Pte J.H. Magaga	Rape	20/04/83	4 Years imprisonment and 4 strokes of which 2 years have been suspended for 4 years
Pte D. Neube	Rape	20/04/83	3 Years imprisonment of which 18 months have been suspended for 4 years
Rfn N. Kgumni	Assault	18/05/83	18 Months imprisonment of which 12 months have been suspended for 3 years
Rfn N. Kxatia	Assault	18/05/83	R200 or 50 days imprisonment
Cpl Verster	Assault	25/05/83	Not guilty
Rfn K.W. Meier	Rape	27/05/83	3 Years imprisonment of which 2 1/2 years have been suspended for 3 years
Rfn B. Mbungaura	Assault	26/07/83	8 Months imprisonment and 4 strokes
Smn H. Smit	Culpable homicide	12/08/83	2 Years imprisonment suspended for 4 years
P.L. Visser	Assault	12/08/83	R400 or 100 days imprisonment
Spr S. Williams	Murder	06/09/83	8 Years imprisonment of which 4 years have been suspended for 4 years
Rfn N. du Preez	Culpable homicide	10/11/83	R400 or 4 months imprisonment suspended for 4 years
S.P. Kooper	Rape	02/12/83	Case withdrawn

a	b	c	d
Cpl K. Malgas	Rape	06/12/83	Not guilty
Rfn L. Toia Rfn C. Kahoema	Assault	12/12/83	Fined R50 each
Cpl L. Nicodemus	Assault and arson	11/01/84	8 Months imprisonment
Pte J. van der Merwe	Assault	17/01/84	R60 or 30 days imprisonment
Cpl J. Abraham	Culpable Homocide	28/01/84	3 Years imprisonment
2Lt F. Botha	Assault	15/02/84	R20 fine
Rfn L. Josob	Crimen Injuria	04/04/84	5 Strokes with a light cane
Basera Elias	Rape	17/05/84	5 Years imprisonment of which 3 have been suspended
Rfn M.J. Baartman	Rape	17/05/84	5 Years imprisonment of which 2 have been suspended
Rfn W.W. Batterbosh			4 Years imprisonment of which 2 have been suspended
Rfn K. Titus			5 Years imprisonment of which, 2 years have been suspended
Rfn D. Etope	Assault	05/06/84	Not guilty
Rfn F.I. Rooi	Assault	05/06/84	4 Months and 25 days imprisonment

ANNEX I

CASES PENDING

Name	Charge	Sentence
a	b	c
E. Josef V. Arneu A. Kuyamba A. Shivua	Murder and rape	Case pending
P.P. van Wyk	Rape	Case pending
N. Coetzee	Murder	Case pending
Rfn P. Andreas	Murder	Case pending
Pte H. Humu and S. Ijirium	Rape and assault	Case pending
Rfn T. Potgieter	Murder	Case pending
Rfn J. de Wet	Assault	Case pending
2Lt B.J. Aggenbach	Attempted rape	Case pending
Capt Barnard S Sgt Janse van Rensburg	Assault	Case pending
Sgt Maree	Intimidation	Case pending
Rfn David Etope	Assault	Case pending
Rfn A. Adriaanse	Murder	Case pending
Rfn B. Moore	Assault	Case pending
S.A. du Raan	Attempted murder	Case pending
Abraham Williams	Rape	Case pending

a	b	c
Cpl Steyn	Negligence resulting death of woman	Case pending
L Cpl M. Kleinbooi Rfn J.P. Klaase	Rape	Case pending
Rfn Pieters Rfn Fortuin Rfn Lottering Rfn Van Wyk Rfn Von Wielligh Rfn Kroukamp Rfn Julius Rfn Titus Rfn Slinger	Possible rape and assault	Case pending

INFORMATION SUPPLIED BY THE SOUTH AFRICAN POLICE CONCERNING ACTS OF TERROR COMMITTED BY THE AFRICAN NATIONAL CONGRESS (ANC)

(a) The ANC has committed 281 acts of terrorism during the period 1 January 1976 to 31 March 1985. The nature of the events was as follows:

16 attacks on police stations
12 murders on members of the SAP and witnesses
35 attempted murders on members of the SAP and witnesses
13 murders on civilians
12 attempted murders on civilians
56 cases of sabotage and attempted sabotage on railways
48 cases of sabotage and attempted sabotage on state and public buildings
38 cases of sabotage and attempted sabotage on power-plants
13 cases of sabotage and attempted sabotage on fuel reservoirs
1 case of sabotage and attempted sabotage on telecommunication systems
12 cases of sabotage and attempted sabotage on business premises
10 cases of sabotage and attempted sabotage on private property
1 case of murder and attempted murder on SADF and Commando members
4 attacks on buildings of the SADF
6 cases of sabotage and attempted sabotage on water pipe-lines
3 cases of robbery and attempted robbery.

(b) The SAP, due to the 47 cases of murder and attempted murder on members of the SAP - but especially on witnesses - is unwilling to release the names of victims since the lives of family members and other persons involved may also be threatened. An example of this is the murder by the ANC of former ANC-member Mr and Mrs Bartholomew Hlapane of Soweto, following the evidence given by Mr Hlapane to the Denton Commission.

(c) 64 people, among them 19 Black civilians died in the period January 1977 to July 1984 due to ANC acts of terror.

(d) Quantities of ANC weapons, ammunition and explosives (most of Soviet bloc origin) have been found since 1976 in RSA. For example:

22 RPG-7 rocket launchers with rockets
113 limpet mines
55 anti-personeel mines
543 kg of explosives (note: a hand-grenade contains 110 grams of explosive, on average)
888 hand-grenades
212 AK-47 rifles
57 346 AK 47 cartridges
have been uncovered recently.

Although the ANC claims that their strategy of violence is specifically aimed at South African Police, Defence Force personnel and strategic targets, indiscriminate acts of terrorism by the organisation give the lie to this claim. For example on 20 May 1983 the ANC exploded a bomb outside South African Airforce Headquarters in Church Street, Pretoria. The result was 19 persons killed and 217 injured. Although Defence Force members were among the victims the overwhelming majority were civilians. Eight of those killed were black and 67 of the injured were blacks - all of these victims were civilians with no links to the ANC's claimed target.

Senator **Denton**. Mr. Alexander, we are going to provide you questions in writing and we hope you will answer them. Thank you very much, Mr. Alexander.

This hearing is adjourned.

[Whereupon, at 1:10 p.m., the committee adjourned, to reconvene at 10 a.m., Wednesday, May 15, 1985.]

INTERNATIONAL TERRORISM, INSURGENCY, AND DRUG TRAFFICKING: PRESENT AND PROSPECTIVE POLICY TOWARD TERRORISM

WEDNESDAY, MAY 15, 1985

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
AND COMMITTEE ON THE JUDICIARY,
Washington, DC.

The committees met at 10:07 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Paul S. Trible, Jr., and Hon. Jeremiah Denton, jointly presiding.

Present: Senators Trible, Biden, Cranston, and Eagleton—Committee on Foreign Relations; Senators Denton, Leahy, DeConcini, and Metzenbaum—Committee on the Judiciary.

Senator **TRIBLE**. The joint session of the Committee on Foreign Relations and the Committee on the Judiciary will come to order.

In our last day of joint hearings with the Committee on the Judiciary, we will hear testimony on how our Government is organized to respond to the growing threat of international terrorism.

The testimony to date has made two facts absolutely clear. First, international terrorism is a form of conflict that it is becoming more prevalent and more violent. Second, it is becoming increasingly attractive to its state sponsors as a means of attacking another state's interest, especially those of the United States.

Two days of testimony have also suggested that the United States is poorly prepared to meet that challenge. There is no national consensus on the appropriate role of force in international affairs. Indeed, this disagreement was the subject of a recent exchange between the Secretary of Defense and the Secretary of State, and is reflected regularly in congressional debate.

As a result, we face a policymaking and decisionmaking paralysis.

Moreover, many experts believe our special operations forces are badly coordinated, that they lack the command structure to oversee swift and effective retaliation. Additionally, they argue that Government decisionmaking machinery may be too cumbersome to make timely decisions.

This hearing provides an opportunity to examine these issues.

In today's testimony we will hear from two administration witnesses, those who are chiefly responsible for developing our counter-terrorism strategy: Mr. Fred Ikle, Under Secretary of Defense for Policy; and Ambassador Robert Oakley, Director of the

Office for Counter-Terrorism and Emergency Planning at the Department of State.

This is a unique opportunity for the two committees, and we are looking forward to an interesting and informative discussion.

I will turn first to my cochairman, the distinguished Senator from Alabama, Senator Denton, for an opening statement, and then he will begin our hearings today.

Senator **Denton**. Thank you very much, Senator Trible.

Good morning, ladies and gentlemen.

I want to recognize and thank my colleagues on both the Judiciary and Foreign Relations Committees for their participation and their valuable contributions.

We have already congratulated Chairman Thurmond and Chairman Lugar of their respective committees for their foresight in holding these rather overdue hearings.

The witnesses have emphasized the need to educate the American people on the significance of the terrorist threat and I, for one, have been educated further by the excellent testimony given here.

Much is left to be done, and it will not be completed when these hearings end today. There are signs that the Foreign Relations Committee will continue work on this subject area this June, and I can assure everyone that the Judiciary Committee will continue to pursue this subject.

We have heard many of the witnesses say that Americans have an unrealistic and incomplete understanding of terrorism. I have been quoted as saying that President Reagan does not know enough about terrorism. That was taken out of context. But let me express what we really believe so that it can be properly quoted in context.

If the executive branch understands terrorism, it has not heretofore made its points with the Congress, because the Congress does not support what the executive branch has been discussing about terrorism. If Congress understands terrorism, it has not passed legislation sufficient to deal with the problem, nor does it, in my view, understand it enough to be able to calculate the threats to our interests, as I will discuss later.

If the media understands terrorism, they have not adequately informed the public.

We, in America, simply do not fully comprehend the social, psychological, and economic ramifications of this evil, which is a relatively new evil, a new force and trend in international affairs and a new force to cope with in our internal affairs.

So we do not understand the strategic and military implications. We do not have a good understanding of the full gamut of damage already done to U.S. interests by worldwide terrorism; nor do we have a good understanding of the present and likely future threats to the full spectrum of U.S. interests.

This does not mean we are not doing anything against terrorism, nor that the executive branch could not undertake something effective in retaliation in a given instance. It does mean, however, that we are drastically short on understanding, unlikely to persevere on a difficult course because of lack of public understanding, congressional understanding, media understanding, and unable to develop really good policy.

We must continue to develop our understanding, even to the grass roots level, in order to produce an informed consensus, better qualified to contribute to a basis for national policy.

Yesterday we heard two of our colleagues testify before this forum. Senators Hawkins and D'Amato poignantly demonstrated the connection between narcotics producing countries and terrorism. Their work in the area of narco-terrorism is applauded, is much needed, and they have been diligent Senators in that respect.

But, in general, we have a small minority of Senators who are into this subject area, and we must get into it as a body.

Mr. Clyde Taylor, Office of International Narcotics Matters, Department of State, stated that not only does money from drug smuggling support terrorists, but drug traffickers have begun using terrorist tactics to enforce discipline in their own ranks to eliminate competition, eliminate government opposition, and intimidate users.

Mr. Taylor added that there is mounting evidence that some governments are also involved for their own sinister ends.

Mr. David Westrate, Deputy Assistant Administrator, Drug Enforcement Administration, reemphasized that there is significant evidence that indicates that several countries are involved in drug trafficking. He said, "Both the terrorists and the traffickers have immeasurably increased the level of anarchy and lethalness through the acquisition of automatic weapons and other high firepower armaments. It contributes to the destabilization of lawful governments."

Today we will be hearing from five distinguished witnesses from both the public and private sectors. The hearing today is directed at "present and prospective policy toward terrorism."

These hearings will contribute to the information data base necessary to establish sound government policy.

Let me introduce our first panelists. They are my friend Dr. Fred Ikle, Under Secretary of Defense for Policy, with whom I worked on so many previous occasions; and Mr. Noel Koch, Principal Deputy Assistant Secretary of Defense for International Security Affairs, who occupies a key position in this subject area.

Do any Senators wish to make any opening statements before the witnesses proceed?

Senator **Metzenbaum**. No. But I do want to say, Mr. Chairman, that it is regrettable that there is another Judiciary Committee meeting at the same time as this Judiciary Committee meeting. Although some members are two-faced, with split personalities, it is very difficult to cover two meetings at the same time. [Laughter.]

Senator **Denton**. I just left the Armed Services markup, Senator Metzenbaum.

Senator **Metzenbaum**. But this is two meetings of the same committee, the Judiciary Committee.

Senator **Denton**. Yes.

It was not my doing.

Senator **Metzenbaum**. I understand that. But when I leave, I just want you to understand the reason.

Senator **Denton**. Of course.

Senator **Cranston**. I have no statement, Mr. Chairman. I, too, have the same problem. I have to go to a Banking Committee session. But I welcome the witnesses and while I may not hear I hope to read what they have to say.

Senator DENTON. That is the most important thing, Senator Cranston, if we would simply encourage our colleagues, to read the transcripts of the hearings related to this subject, it will overcome many obstacles.

Senator CRANSTON. Yes.

Senator DENTON. We will now receive a statement for the record by Senator Eagleton.

[Senator Eagleton's opening statement follows:]

OPENING STATEMENT OF THOMAS F. EAGLETON, A U.S. SENATOR FROM MISSOURI

Senator EAGLETON. Recent press reports allege that foreign nationals from a CIA trained counterterrorist unit in Lebanon, acting without CIA authorization, hired others to detonate a car bomb that killed 80 in Beirut last March. The reports also suggest that U.S. counterterrorist operations were changed following the bombing.

The reports, whether substantiated or not, have focused the spotlight of public scrutiny on the Reagan administration's confused and radical get-tough antiterrorist plans.

In the aftermath of the atrocities committed on Americans in the Middle East, the American people have yearned for a U.S. antiterrorist policy that is both effective and moral. In response, the administration has given them tough talk speeches by Secretary of State Shultz that refer to an antiterrorist posture of "active preemption, prevention, and retaliation" and the potential "loss of life of some innocent people" during such action.

At the same time, other top officials in the administration, most notably, the President, the Vice-President, and the Secretary of Defense, have made contradictory statements about our policy. In his debate with Walter Mondale last fall, candidate Reagan spoke of retaliating against terrorists only if it would "not endanger the lives of innocent civilians." The President later commented on the Secretary of State's antiterrorist rhetoric, saying, "I don't think it was a statement of policy." One-half hour later, White House spokesman, Larry Speakes, was claiming the Shultz's words were "administration policy from top to bottom."

Vice-President Bush expressed his views of the Shultz plan simply: "I don't agree with that."

A garbled policy for dealing with terrorists is the last thing that will help deter future violent actions against our citizens and property abroad and at home.

While the Senate Intelligence Committee (of which I am a member) looks into our antiterrorist operations and the press reports on the recent Beirut car bombing, all Members of Congress and top officials in the administration must undertake a reasoned public exploration of the fundamental issues involved in a democracy's fight against terrorism and an evaluation of the administration's antiterrorist policy.

This discussion should include an airing of the goals and purposes of our policy, the domestic and international legal implications of preemptive attacks on terrorists, the administration's intent to report to or consult with Congress about covert antiterrorist activities, and the standards of proof we will require before taking action against suspected terrorists.

Many would argue that such a public debate on the U.S. response to terrorism may mean that our response will not be as quick and forceful as possible, but the rigors of public involvement in the formulation of crucial foreign policy is the price we pay for living in a free and civilized society.

Senator DENTON. Mr. Ikle.

STATEMENT OF HON. FRED C. IKLE, UNDER SECRETARY OF DEFENSE FOR POLICY, ACCOMPANIED BY NOEL KOCH, PRINCIPAL DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR INTERNATIONAL SECURITY AFFAIRS

Mr. IKLE. Thank you.

Senator Trible, Senator Denton, we appreciate the opportunity to discuss terrorism and the threat to U.S. security.

I am submitting a prepared statement for the record and shall merely summarize some highlights in my remarks now.

Senator **Denton**. Without objection, your entire statement will be included in the record, Mr. Ikle.

Mr. **Ikle**. The threat of terrorism, as you have stated, Senator Denton, is mainly a threat against democracies and democratic institutions. At present, there are two ideologies that foster terrorism: communism and some forms of Islamic fundamentalism, mostly from Iran and Libya. It is in a sense a form of warfare below the threshold of military attack, targeted especially on the political vulnerabilities of democracies.

Accordingly, the industrialized democracies recognize the challenge of international terrorists. Last year was marked by increasingly closer cooperation among our democracies. Time-sensitive intelligence is being exchanged to identify specific terrorist threats and to coordinate implementation of security measures more effectively among all the countries affected.

But some democratic nations have sought tacit accommodations with terrorist groups. Usually, such concessions provide only a short respite. Ultimately, the Government may be forced to defend itself at even greater cost than might otherwise have been the case.

So, regrettably, we sometimes have a lack of cooperation among friendly countries, and that hurts the democracies' common cause against terrorism.

For example, in a speech before the Italian Chamber of Deputies in February, Prime Minister Craxi charged that, of the some 200 suspected Italian terrorists that had fled the country, 117 have found sanctuary in France. The French, Prime Minister Craxi remonstrated, have failed to honor or at times even to respond to the more than 120 extradition requests made by the Italian Government.

Other countries, sometimes those with authoritarian governments, may react also in a counterproductive fashion. Rather than exhibiting a paralysis of will, they may impose indiscriminate and Draconian measures which erode the government's already limited political base and generate additional grievances.

Of particular concern to us, Mr. Chairman, has been the increasing prevalence of state supported terrorism. In 1984, acts of state supported terrorism rose from the 70 of the previous year, to 97. Iran and Libya were the most egregious offenders, being involved in all but five of these acts.

But the Governments of the Soviet Union, Cuba, and Nicaragua have also supported terrorism, though they have been conscious of the benefit of concealing their involvement so as to mislead Western opinion and forestall a response by the democracies.

Their approach is more sophisticated and more difficult to counter. The Communist leaders in Nicaragua have promoted terrorism in Costa Rica and Honduras, and are fomenting insurgency and terrorism in El Salvador. They have welcomed support from Khomeini's Iran and Qadhafi's Libya.

The success of the effort of concealing the sources of terrorism and the extension of Iranian and Libyan terrorism into our hemisphere can be seen right here in Congress, Mr. Chairman, which is clearly universally opposed to terrorism, generally supportive of efforts to combat it and yet, at the same time, generally reluctant to act against one of the two main centers of terrorism in the Western Hemisphere.

Since terrorism can provide such significant political impact for a very small investment of resources, it has become increasingly pervasive.

In 1984, international terrorist incidents showed a marked and disturbing increase, rising more than 40 percent, to over 700 from the previous year's total of 500.

In my prepared statement, Mr. Chairman, there are additional statistical details.

Ambassador Oakley will describe the organizational structure throughout the U.S. Government in his testimony in the executive branch for coping with terrorism.

Let me just add that the Department of Defense, of course, has extensive ongoing programs to confront the terrorist threat. The Defense Department initiatives to combat terrorism fall mainly in two areas: antiterrorism and counterterrorism.

By antiterrorism, we mean initiatives that are defensive measures to reduce the vulnerability of personnel and facilities to terrorist attacks, physical security and such. We also do training within a defensive parameter in combating terrorism, and that is now integrated into most service school curriculums. In addition, we have mobile training teams which can provide training to overseas commands and personnel assigned to areas which are in vulnerable locations.

Most important, our intelligence capabilities have been improved. Terrorism-related intelligence is being thoroughly analyzed and rapidly disseminated to concerned commands. We have a 24 hour, 7 day a week terrorist desk that has been established within a National Military Intelligence Center, and a new Terrorist Advisory Reporting System to ensure that commands are kept apprised of developing situations.

By contrast, counterterrorism is concerned with offensive measures to respond to a terrorist act. To this end, DOD has organized and trained a Counter-Terrorist Joint Task Force that brings together the forces of the services under a single command. This force is highly capable of responding and resolving terrorist incidents when so directed by the National Command Authority.

You recall, of course, that the U.S. military is precluded from dealing with terrorism within the United States, except under certain highly constrained circumstances.

Let us keep in mind that there is no single measure by itself which can cope with the threat of terrorism. Combating terrorism requires persistence and resolve, courage and restraint.

Public support for bold actions waxes with each major incident victimizing Americans, and rapidly wanes in the aftermath.

U.S. cooperation with other governments, so vital for any success, depends on keeping such cooperation secret. Leaks about intergovernmental cooperation endanger human lives, help the terrorists, and spread disdain throughout all the capitals of the world for the lack of discipline and unreliability of the Government institutions in Washington.

Mr. Chairman, since the early 1970's, Congress has chosen to involve itself in intelligence operations and foreign policy actions of the executive branch in much greater detail and to play a far more pervasive role than used to be the case in prior decades.

Congress has chosen to become coresponsible for nearly every foreign policy and intelligence operation, not only in terms of the budget and general oversight, as envisaged by the Constitution, but in terms of the most detailed tactics and methods.

Congress has, thus, chosen to be coresponsible for the secrecy of tactical operations, secrecy needed to protect human lives, to protect the national interest. In my view, the time is long overdue for the legislative and the executive branches of our Government to cooperate on measures that will restore a level of discipline in protecting sensitive information.

There are no magic solutions to counterterrorism. Essentially, we need to operate on four levels. We can try to erect passive defenses, as I mentioned, barriers, gates, and so on. But all of these, we know, can be circumvented or overcome.

We can prepare active defenses, armed guards, counterterrorism teams, apprehension of those caught preparing a terrorist attack. These efforts, to be successful, require good intelligence and the collection of good intelligence requires secrecy.

Third, in theory at least, one would want to route out the sources of terrorism, the organizations planning the crimes, their training facilities, the sources of support and money.

But at this level one risks hurting innocent bystanders, and usually the sources enjoy the toleration if not the protection of a foreign country. So you face all of the problems of U.S. intervention in foreign countries.

Iran has been mentioned as a source of terrorism, and Libya's Qadhafi is a self-proclaimed supporter of terrorism. We must prevent the spread of this cancer to other nations.

Last June, Libya's dictator, Qadhafi, boasted that the revolutionaries of El Salvador have indirectly benefited from the Sandinista revolution by contacts with agents of Libya. Qadhafi added that the activities of Libya's agents in these areas have intensified. Nicaragua is now the main focus of Libyan activities. Libya probably has as many as 50 instructors in Nicaragua.

If Qadhafi and the Soviet Union can continue to support the Communist regime in Nicaragua, but the U.S. Congress denies all aid to the Nicaraguans fighting for a democracy, we must expect that the forces of terrorism will establish a new source and sanctuary as close to the United States as is Libya to Israel. So, on this issue, too, Congress is assuming a major responsibility.

Mr. Chairman, let me conclude by reminding, as you have stated at the beginning, that terrorism is, at bottom, a form of warfare and it is directed against the United States and its friends.

[Mr. Ikle's prepared statement follows:]

PREPARED STATEMENT OF FRED C. IKLE

MR. CHAIRMAN, I APPRECIATE THIS OPPORTUNITY TO DISCUSS TERRORISM AND THE THREAT TO U.S. SECURITY INTERESTS.

I WANT FIRST TO GIVE YOU AN OVERVIEW OF THE THREAT AND THE STATISTICAL BASIS FOR OUR CONCERN, AND THEN TO DISCUSS THE RAMIFICATIONS OF THE PROBLEM AND SOME OF THE STEPS WE ARE TAKING TO DEAL WITH IT.

AT PRESENT, THE THREAT OF TERRORISM DERIVES PRINCIPALLY FROM GROUPS AND NATIONS THAT ESPOUSE TWO DISTINCT IDEOLOGIES--COMMUNISM AND IRANIAN ISLAMIC FUNDAMENTALISM. BOTH USE TERRORISM AS A FORM OF WARFARE, BELOW THE THRESHOLD OF OPEN MILITARY ATTACK. AND THEY USE TERRORISM IN THE KNOWLEDGE THAT DEMOCRACIES--WHOM THEY HAVE CHOSEN AS THEIR MAIN ENEMIES--ARE ESPECIALLY VULNERABLE TO THIS FORM OF WARFARE.

THE INDUSTRIALIZED DEMOCRACIES, FOR THE MOST PART, RECOGNIZE THE CHALLENGE POSED BY THE INTERNATIONAL TERRORIST AND 1984 WAS MARKED BY INCREASINGLY CLOSER COOPERATION. TIME SENSITIVE INTELLIGENCE IS BEING EXCHANGED TO IDENTIFY SPECIFIC TERRORIST THREATS AND TO COORDINATE THE IMPLEMENTATION OF SECURITY MEASURES TO COUNTER THESE THREATS. THIS CLOSER COOPERATION IS ESSENTIAL FOR COMBATTING INTERNATIONAL TERRORIST GROUPS THAT ACTIVELY SUPPORT EACH OTHER LOGISTICALLY AND OPERATIONALLY TO ATTACK THE WORLDWIDE INTERESTS OF THE UNITED STATES AND ITS ALLIES.

SOME DEMOCRATIC NATIONS HAVE SOUGHT TACIT ACCOMMODATIONS WITH TERRORIST GROUPS IN RETURN FOR A TENUOUS PEACE. SUCH CONCESSIONS USUALLY PROVIDE ONLY SHORT RESPITE AND ULTIMATELY THE GOVERNMENT MAY BE FORCED TO DEFEND ITSELF AT EVEN GREATER COST THAN MIGHT OTHERWISE HAVE BEEN THE CASE.

ALSO, A LACK OF COOPERATION AMONG FRIENDLY COUNTRIES HURTS IN THE DEMOCRACIES' COMMON CAUSE AGAINST TERRORISM. FOR EXAMPLE, IN A SPEECH BEFORE THE ITALIAN CHAMBER OF DEPUTIES ON 7 FEBRUARY, PRIME MINISTER CRAXI CHARGED THAT OF THE SOME 200 SUSPECTED ITALIAN TERRORISTS THAT HAVE FLED THE COUNTRY, 117 HAVE FOUND SANCTUARY IN FRANCE. THE FRENCH, CRAXI REMONSTRATED, HAVE FAILED TO HONOR OR, AT TIMES, EVEN RESPOND TO THE MORE THAN 120 EXTRADITION REQUESTS MADE BY THE ITALIAN GOVERNMENT.

ANOTHER PROBLEM IS POLITICAL OPPORTUNISM IN DEMOCRACIES THAT CAN AGGRAVATE THE DANGERS OF TERRORISM. THIS NOVEMBER, APPROXIMATELY 1,000 ITALIAN PRISONERS CONSIDERED TO BE TERRORISTS WILL BE RELEASED ON BAIL IF ITALY'S NEW LAW ON PREVENTIVE DETENTION BECOMES FULLY EFFECTIVE, AS SCHEDULED. THIS SITUATION DEVELOPED BECAUSE COMMUNIST, FAR-LEFT, AND NEOFASCIST PARLIAMENTARIANS ADDED AMENDMENTS TO THE ORIGINAL REFORM BILL, THEREBY MAKING IT MORE FAR REACHING THAN ITS SPONSORS EVER INTENDED.

OTHER COUNTRIES, PARTICULARLY THOSE WITH AUTHORITARIAN GOVERNMENTS, MAY ALSO REACT IN A COUNTER-PRODUCTIVE FASHION. RATHER THAN EXHIBIT A PARALYSIS OF WILL, THEY, IN CONTRAST, MAY

IMPOSE INDISCRIMINATE AND DRACONIAN MEASURES. THESE ERODE THE GOVERNMENT'S ALREADY LIMITED POLITICAL BASE, GENERATE ADDITIONAL BLOOD GRIEVANCES, AND LAY THE SEEDS FOR FUTURE, MORE POPULARLY SUPPORTED USE OF VIOLENCE. WHEN GOVERNMENTS ENGAGE IN HARSH AND INDISCIMINATE REPRESSION, THEY UNWITTINGLY MAY PROVIDE THE TERRORIST A MORAL STATURE TO WHICH HE IS NOT ENTITLED AND MAY CONFER ON HIS MOVEMENT A LEGITIMACY THAT ENABLES HIM TO GARNER INTERNATIONAL SUPPORT--PROVIDING ACCESS TO MONEY, MEDIA, AND OTHER RESOURCES WHICH WOULD NORMALLY NOT BE AVAILABLE. SUCH A DEVELOPMENT, OF COURSE, IS USUALLY THE KEY OBJECTIVE OF THE TERRORIST MOVEMENT.

OF PARTICULAR CONCERN IS THE INCREASING PREVALENCE OF STATE-SUPPORTED TERRORISM. IN 1984, ACTS OF STATE-SUPPORTED TERRORISM ROSE FROM THE 70 OF THE PREVIOUS YEAR TO 97--A 39 PERCENT INCREASE IRAN AND LIBYA WERE THE MOST EGREGIOUS OFFENDERS, BEING INVOLVED IN ALL BUT FIVE OF THESE ACTS. (SIXTY-SIX SUCH STATE-SUPPORTED OPERATIONS ARE ATTRIBUTABLE TO IRAN'S KHOMEINI REGIME AND 26 TO LIBYA'S QADHAFI.)

THE GOVERNMENTS OF THE SOVIET UNION, CUBA, AND NICARAGUA HAVE ALSO SUPPORTED TERRORISM, THOUGH THEY HAVE BEEN CONSCIOUS OF THE BENEFIT OF CONCEALING THEIR INVOLVEMENT SO AS TO MISLEAD WESTERN OPINION AND TO FORESTALL A RESPONSE BY THE DEMOCRACIES. THEIR APPROACH IS MORE SOPHISTICATED, DIVISIVE, AND MORE DIFFICULT TO COUNTER. THE COMMUNIST LEADERS IN NICARAGUA HAVE PROMOTED TERRORISM IN COSTA RICA, HONDURAS AND ARE FOMENTING INSURGENCY

AND TERRORISM IN EL SALVADOR. THEY HAVE WELCOMED SUPPORT FROM KHOMEINI'S IRAN AND QADHAFI'S LIBYA, BUT THEY HAVE CONCEALED THEIR ATTACKS ON NEIGHBORING DEMOCRACIES MORE CLEVERLY THAN KHOMEINI AND QADHAFI IN A EFFORT TO NURTURE CONFUSION IN THE UNITED STATES AS TO THE NATURE OF THE SANDINISTA REGIME AND ITS THREAT TO THE AMERICAS. THE SUCCESS OF THIS EFFORT CAN BE SEEN RIGHT HERE IN THE CONGRESS WHICH I BELIEVE IS UNIVERSALLY OPPOSED TO TERRORISM, GENERALLY SUPPORTIVE OF EFFORTS TO COMBAT IT, AND YET AT THE SAME TIME GENERALLY RELUCTANT TO ACT AGAINST ONE OF THE TWO MAIN CENTERS OF TERRORISM IN THE WESTERN HEMISPHERE.

TERRORIST ASSASSINATIONS, KIDNAPINGS, ARMED ATTACKS, BOMBINGS, AND HUMILIATIONS CARRIED OUT AGAINST FREE WORLD INSTITUTIONS CAN UNDERMINE PUBLIC CONFIDENCE IN ESTABLISHED GOVERNMENTS AND ERODE NATIONAL RESOLVE AND FAITH IN A COUNTRY'S LEADERSHIP. AND WHEN THE UNITED STATES IS THE TARGET OF SUCH ACTIONS, THE COST OF TERRORISM MUST BE MEASURED NOT ONLY IN LOSS OF AMERICAN LIFE OR DAMAGE TO U.S. INSTALLATIONS AND PROPERTY, BUT IN LESS TANGIBLE THOUGH NO LESS MEANINGFUL TERMS--LOSS OF AMERICAN CREDIBILITY AND A DIMINISHED CAPACITY OF THE UNITED STATES TO INFLUENCE INTERNATIONAL EVENTS.

BECAUSE TERRORISM CAN PROVIDE SIGNIFICANT POLITICAL IMPACT FOR A VERY SMALL INVESTMENT OF RESOURCES, IT HAS BECOME INCREASINGLY PERVASIVE. IN 1984, INTERNATIONAL TERRORIST INCIDENTS SHOWED A MARKED AND DISTURBING INCREASE--RISING MORE THAN 40 PERCENT TO OVER 700 FROM THE PREVIOUS YEAR'S TOTAL OF 500--THE ANNUAL RATE OF THE PAST FIVE YEARS.

IN THE FIRST QUARTER OF 1985, NEARLY 200 INTERNATIONAL TERRORIST INCIDENTS HAVE BEEN RECORDED. IF THIS TREND CONTINUES, BY THE END OF THE YEAR WE COULD EXPECT TO RECORD ALMOST 800 TERRORIST OPERATIONS, WHICH WOULD REPRESENT AN INCREASE OF SOME 15 PERCENT OVER 1984 AND 60 PERCENT OVER THE 1983 TOTAL. IN 1984, 37.2 PERCENT OF ALL INTERNATIONAL TERRORIST INCIDENTS OCCURRED IN WESTERN EUROPE, 25.6 PERCENT IN LATIN AMERICA, AND 22.8 PERCENT IN THE MIDDLE EAST.

IN 1984, ARMED TERRORIST ATTACKS MORE THAN DOUBLED OVER THE PREVIOUS YEAR AND BOMBINGS--A PARTICULARLY VICIOUS FORM OF TERRORISM --SHOWED A 35 PERCENT INCREASE.

BECAUSE SEVERAL TERRORIST GROUPS ARE INCREASINGLY DRAWN TO OPERATIONS THAT PRODUCE MASS CASUALTIES, WE ARE CONCERNED THAT, AS THE PUBLIC BECOMES INURED TO SUCH ACTS, THE TERRORISTS WILL ESCALATE THE CARNAGE IN ORDER TO MAINTAIN THE SHOCK VALUE OF THEIR OPERATIONS. ONE CURRENT WEAPON OF CHOICE IS THE VEHICLE BOMB, A DEVICE USED WITH DEADLY EFFECT IN BEIRUT, LONDON, PARIS, PRETORIA, AND KUWAIT. IN 1983, THE STATE DEPARTMENT REPORTED 50 SUCH ATTACKS OF WHICH MORE THAN THIRTY TOOK PLACE IN THE MIDDLE EAST. EVEN THOUGH OUR COUNT REMAINS INCOMPLETE, WE KNOW THAT THE NUMBER OF SUCH ATTACKS IN 1984 EXCEEDED THE PREVIOUS YEAR'S TOTAL. OF PARTICULAR CONCERN IS THAT A METHOD OF ATTACK THAT LARGELY HAD BEEN CONFINED TO THE MIDDLE EAST IS BEING USED WITH INCREASING FREQUENCY IN EUROPE, AFRICA, AND EVEN LATIN AMERICA.

THE U.S. PRESENCE ABROAD HAS BECOME A PRIME TARGET FOR THE INTERNATIONAL TERRORIST BECAUSE WE REPRESENT A COMMITMENT TO POLITICAL STABILITY AND CONSTRUCTIVE CHANGE. OUR POLICIES SEEK TO DEFUSE UNREST AND DISCONTENT BY URGING AND ENCOURAGING FOREIGN GOVERNMENTS TO INSTITUTE REFORMS THAT MEET THE LEGITIMATE DEMANDS OF THE OPPRESSED AND DISADVANTAGED. TO TERRORISTS, REFORM IS ANATHEMA FOR IT MEANS PERPETUATION OF A SYSTEM THEY ABHOR AND, IN EFFECT, CO-OPTS THE REVOLUTION THEY HOPE TO LEAD.

SINCE 1969, TERRORISTS HAVE KILLED OR MAIMED MORE THAN 1,000 OF OUR COUNTRYMEN AND DURING THE PAST DECADE TERRORIST ACTS DIRECTED AGAINST U.S. GOVERNMENT OFFICIALS AND INSTALLATIONS ABROAD HAVE AVERAGED ONE EVERY 17 DAYS. IN FACT, SINCE 1968, ALMOST 50 PERCENT OF INTERNATIONAL TERRORIST INCIDENTS HAVE BEEN DIRECTED AGAINST U.S. INTERESTS. THROUGHOUT THE WORLD, U.S. BUSINESSMEN, PUBLIC SERVANTS, MILITARY PERSONNEL, EDUCATORS, AND CHURCHMEN ARE TARGETS OF TERRORIST VIOLENCE.

ALTHOUGH IN 1984, THE NUMBER OF OPERATIONS CARRIED OUT AGAINST AMERICAN INTERESTS WAS LESS THAN IN PREVIOUS YEARS, THE REDUCTION IN THE NUMBER OF OPERATIONS ACTUALLY IMPLEMENTED SHOULD NOT BE TAKEN AS AN INDICATION OF A REDUCED THREAT. IN 1984, MORE AMERICANS WERE KIDNAPED THAN IN ANY OF THE PREVIOUS FIVE YEARS AND THE NUMBER OF HIJACKINGS INVOLVING AMERICANS WAS HIGHER THAN IN THE PREVIOUS TWO YEARS. FOR THE FIRST NINE MONTHS OF 1984, ARMED ATTACKS AGAINST AMERICAN PERSONNEL RAN DOUBLE THE NUMBER OF 1983 AND THE RATE OF BOMB ATTACKS REMAINED UNDIMINISHED.

AMERICAN FATALITIES IN 1984 WERE DOWN FROM THE 1983 HIGH OF 271, AND THERE WERE SIGNIFICANTLY FEWER ANTI-U.S. OPERATIONS IN 1984 THAN DURING ANY SINGLE YEAR SINCE 1980. THE CARNAGE OF 1983, HOWEVER, WAS PRIMARILY ATTRIBUTABLE TO TWO MASS-CASUALTY OPERATIONS--THE TRUCK BOMBINGS OF OUR BEIRUT EMBASSY AND THE MARINE PEACEKEEPING FORCE. IF WE FACTOR OUT THOSE TWO ATTACKS, WE FIND THAT ONLY FIVE TERRORIST-ATTRIBUTED U.S. DEATHS OCCURRED IN 1983 WHICH WOULD HAVE MADE THAT YEAR'S FATALITY RATE THE SECOND LOWEST SINCE 1970.

MORE SIGNIFICANT, HOWEVER, IS THAT EVEN THOUGH THERE WERE FEWER ANTI-U.S. TERRORIST ATTACKS LAST YEAR THAN IN ANY YEAR SINCE 1975, THE NUMBER OF U.S. FATALITIES PER INCIDENT IN 1984 WAS GREATER THAN THE AVERAGE FOR THE DECADE. IN OTHER WORDS, ALTHOUGH AMERICANS WERE TARGETS OF FEWER ATTACKS IN 1984, THOSE OPERATIONS THAT WERE ACTUALLY LAUNCHED PROVED TO BE DEADLIER. INTELLIGENCE REPORTS INDICATE THAT TERRORIST ACTIVITY DIRECTED AGAINST U.S. TARGETS IN THE MIDDLE EAST, EUROPE, AND LATIN AMERICA IS ON THE RISE AND THAT INCREASINGLY LETHAL OPERATIONS ARE MORE ROUTINELY BEING CONSIDERED. OUR MOST RECENT STATISTICS APPEAR TO BEAR THIS OUT.

DURING THIS PAST YEAR, AMERICAN BUSINESS INTERESTS BECAME THE PRIME TERRORIST TARGET--U.S. MILITARY AND DIPLOMATIC PERSONNEL BEING VICTIMIZED AT APPROXIMATELY HALF THE RATE AS THE PRIVATE SECTOR. LATIN AMERICA BECAME THE MOST DANGEROUS VENUE FOR U.S. CITIZENS, FOLLOWED BY WESTERN EUROPE AND THE MIDDLE EAST. OUR

COUNTRY'S HIGHEST LEVEL DIPLOMATIC AND MILITARY PERSONNEL IN COLOMBIA, GUATEMALA, BOLIVA, COSTA RICA, HONDURAS, AND EL SALVADOR WERE MARKED FOR ASSASSINATION AND THE LEVEL OF VIOLENCE CONTINUES TO ESCALATE.

FOR OUR MILITARY PERSONNEL, WESTERN EUROPE, BY FAR, HAS PROVEN TO BE AN ESPECIALLY DANGEROUS REGION. IN 1984, WE WERE TARGETS OF 21 ATTACKS THERE, AS CONTRASTED WITH ONLY 4 IN THE MIDDLE EAST, 2 IN AFRICA, AND 2 IN LATIN AMERICA. IN THE FIRST QUARTER OF 1985, A TOTAL OF 11 ATTACKS TARGETTED AGAINST U.S. MILITARY PERSONNEL AND FACILITIES HAVE OCCURRED--ALL BUT ONE IN EUROPE. WE LARGELY ATTRIBUTE HEIGHTENED TERRORIST ACTIVITY IN EUROPE TO A PLETHORA OF TARGETS, AND AN INCESSANT BARRAGE OF COMMUNIST PROPAGANDA THAT SERVES TO ENCOURAGE AND LEGITIMIZE SUCH OPERATIONS.

IN EUROPE OUR MILITARY PERSONNEL AND INSTALLATIONS ARE AT RISK FROM ITALY'S RED BRIGADES, GERMANY'S RED ARMY FACTION AND FRANCE'S DIRECT ACTION--ORGANIZATIONS THAT HAVE KIDNAPED OR ATTEMPTED TO ASSASSINATE SENIOR MILITARY PERSONNEL SUCH AS GENERALS DOZIER, HAIG, AND KROESEN. IN ADDITION, OTHER GROUPS IN PORTUGAL, SPAIN, GREECE, TURKEY, AND CYPRUS HAVE ALSO TARGETTED AMERICAN AND NATO FACILITIES AND PERSONNEL.

WE ARE PARTICULARLY CONCERNED THAT EUROPEAN TERRORIST ORGANIZATIONS, ONCE BELIEVED MORIBUND, HAVE RESURFACED AND ARE OPERATIONALLY ACTIVE. NEW AND VIOLENT GROUPS HAVE FORMED AND SOME OF THE ORGANIZATIONS HAVE BEGUN TO FORMALLY COLLABORATE --THEREBY ENHANCING THEIR CAPABILITIES BY OBTAINING GREATER ACCESS TO MATERIAL RESOURCES, PERSONNEL, AND SUPPORT MECHANISMS. SUCH ARRANGEMENTS PERMIT GREATER FREEDOM OF MOVEMENT AND CHOICE OF OPERATIONAL VENUE, WHICH MAKES OUR JOB AND THAT OF THE LOCAL SECURITY SERVICES MUCH MORE DIFFICULT. THE SHEER NUMBER OF POTENTIAL U.S. TARGETS AND A GENERALLY PERMISSIVE OPERATIONAL CLIMATE CREATE VERY SIGNIFICANT SECURITY PROBLEMS.

THE MOVE TO INTEGRATE AND COORDINATE EUROPEAN TERRORIST ACTIVITY HAS BEEN DUBBED "EURO-TERRORISM" OR THE "ANTI-IMPERIALIST FRONT." WE BELIEVE A EURO-TERRORIST OFFENSIVE, NOW UNDERWAY, BEGAN LAST SUMMER WITH A SERIES OF VIOLENT ATTACKS IN PARIS. IT EXTENDED TO BELGIUM DURING THE FALL AND WINTER AND, IN DECEMBER, GAINED MOMENTUM WHEN GERMAN, BASQUE, AND PORTUGESE TERRORISTS CARRIED OUT BOMBINGS AND OTHER OPERATIONS AGAINST NATO, U.S., AND DOMESTIC MILITARY TARGETS.

IN LATE-JANUARY 1985, THE LETHALITY OF EURO-TERRORIST OPERATIONS ESCALATED WHEN THE TERRORIST GROUP, DIRECT ACTION, MURDERED FRENCH DEFENSE MINISTRY OFFICIAL RENE AUDRAN, WHOM THEY VIEWED AS THE MAN RESPONSIBLE FOR NATO ARMS COOPERATION. THIS

WAS FOLLOWED IN FEBRUARY BY THE GERMAN RED ARMY FACTION KILLING OF A GERMAN INDUSTRALIST, WHOSE FIRM HELD NATO CONTRACTS, AND THE ATTEMPTED CAR BOMBING OF THE NATO SCHOOL IN THE BAVARIAN TOWN OF OBERAMMERAGAU--AN OPERATION WHICH IF SUCCESSFUL COULD HAVE RESULTED IN SERIOUS CASUALTIES. THIS MAY, TWO PERSONS WERE KILLED IN BELGIUM BY A VEHICLE BOMB PLANTED BY A NEW EURO-TERRORIST GROUP.

GERMANY'S RED ARMY FACTION AND FRANCE'S DIRECT ACTION ARE BELIEVED TO BE THE PRIME MOVERS BEHIND THE EURO-TERRORIST ALLIANCE. THIS JANUARY, THEY ANNOUNCED FORMAL COLLABORATION AND THE CREATION OF A JOINT "POLITICAL-MILITARY FRONT" WITH NATO BEING THEIR PRIME TARGET.

IN BELGIUM, A NEW GROUP, "THE FIGHTING COMMUNIST CELLS" HAS EMERGED AND IS ALSO LINKED TO THE MOVEMENT. IT HAS CLAIMED RESPONSIBILITY FOR BOMBING NATO PIPELINES AND THE 15 JANUARY CAR BOMBING OF A U.S.-NATO INSTALLATION--AN OPERATION THEY CLAIMED TO HAVE UNDERTAKEN IN SUPPORT OF THE GERMAN RED ARMY FACTION. THEIR MOST RECENT OPERATION ON 1 MAY INVOLVED THE CITED VEHICLE BOMB WHICH DETONATED IN CENTRAL BRUSSELS, KILLING TWO AND WOUNDING 12. IT IS SPECULATED THAT THE EXPLOSIVES USED IN THESE BOMBINGS WERE PREVIOUSLY STOLEN FROM QUARRIES IN BELGIUM. IN NEIGHBORING LUXEMBOURG, THIS FEBRUARY, AN ADDITIONAL 1,100 POUNDS OF EXPLOSIVES, HALF A MILE OF FUSE WIRE, AND SEVERAL HUNDRED DETONATORS WERE STOLEN FROM QUARRIES IN WHAT AUTHORITIES BELIEVE ARE TERRORIST-RELATED THEFTS.

ELSEWHERE IN EUROPE, A SIMILAR PATTERN OF ACTIVITY AND TARGETTING HAS EMERGED. SINCE LAST NOVEMBER, THE PORTUGESE TERRORIST GROUP, FP-25, USING MORTARS HAVE ATTACKED THE U.S. EMBASSY, NATO SHIPS IN LISBON HARBOR, AND NATO'S IBERIAN ATLANTIC COMMAND HEADQUARTERS. IN THE NETHERLANDS, A PREVIOUSLY UNKNOWN GROUP BOMBED A POLICE STATION AND A DEFENSE MINISTRY FACILITY. IN SPAIN, BASQUE TERRORISTS BOMBED A MILITARY PIPELINE AND INJURED 6 U.S. SERVICEMEN IN A BOMB ATTACK AGAINST A RESTAURANT. IN GREECE, A NEW GROUP--THE NATIONAL FRONT--CLAIMED CREDIT FOR BOMBING A BAR FREQUENTED BY U.S. MILITARY PERSONNEL. IN THIS ATTACK, THE MOST COSTLY SINCE LEBANON, 57 U.S. SERVICEMEN, 8 U.S. CIVILIANS, AND 13 GREEK NATIONALS WERE WOUNDED.

MOREOVER, THE EFFORT TO INTERNATIONALIZE THE TERRORIST STRUGGLE IS NOT CONFINED TO EUROPE. FOR MORE THAN A DECADE, THIS GOAL, ENERGETICALLY PROMOTED BY THE CUBANS, HAS BEEN PURSUED BY A MIXED-BAG OF CENTRAL AMERICAN GROUPS. THEIR EFFORTS SHARPLY ACCELERATED AFTER 1979, WHEN THE COMMUNISTS CAME TO POWER IN NICARAGUA.

POLITICAL TERRORISM IS NOT THE ONLY FORM OF TERRORISM THAT THREATENS OUR NATION'S SECURITY. A SYMBIOTIC RELATIONSHIP EXISTS BETWEEN SOME POLITICAL TERRORIST GROUPS AND INTERNATIONAL NARCOTICS INTERESTS, WHICH HAS GIVEN RISE TO THE APPELATION "NARCO-TERRORISM."

THE DRUG TRADE PROVIDES TERRORISTS AND INSURGENTS A MORE LUCRATIVE, RISK-FREE SOURCE OF FINANCING THAN DO BANK ROBBERIES OR KIDNAPINGS. RURAL INSURGENTS--IN PARTICULAR--HAVE THE OPPORTUNITY, MOTIVE, AND CAPABILITY TO BECOME SYSTEMATICALLY INVOLVED WITH THE DRUG TRADE. RURAL INSURGENTS AND NARCOTICS GROWERS ARE OFTEN DRAWN TO THE SAME REGIONS OF THE COUNRY--REMOTE, ISOLATED AREAS, REMOVED FROM EFFECTIVE GOVERNMENT CONTROL. WELL-ARMED INSURGENTS MAY PROVIDE TRAFFICKERS A SOURCE OF PROTECTION FROM SECURITY FORCES OR RIVAL NARCOTICS GROUPS.

IN LATIN AMERICA, FOR EXAMPLE, "THE REVOLUTIONARY ARMED FORCES OF COLOMBIA" (FARC), THE OLDEST AND MOST EFFECTIVE RURAL GUERRILLA ORGANIZATION IN THAT COUNTRY, IS REPORTED TO RECEIVE FUNDS, WEAPONS, AND OTHER SERVICES VIA ITS NARCOTICS CONTACTS. INITIALLY THE FARC EXTORTED MONEY FROM THE GROWERS BUT ONCE SEEING HOW LUCRATIVE WAS THE TRADE, THEY ENTERED IT THEMSELVES. A SECOND COLOMBIAN GROUP, THE M-19, IS ALSO REPORTED TO HAVE BEEN INVOLVED IN NARCOTICS TRAFFICKING. AND IN PERU, THE SENDERO LUMINOSO REPORTEDLY EXTORTS "WAR TAXES" FROM GROWERS AND TRAFFICKERS.

THE TRAFFICKERS, TOO, PRACTICE TERRORISM. IN COLOMBIA, THEY HAVE THREATENED THE LIFE OF THE AMBASSADOR AND OTHER KEY U.S. OFFICIALS. IN MEXICO, THEY KIDNAPPED, TORTURED AND ULTIMATELY MURDERED DEA AGENT CAMARENA.

AMBASSADOR OAKLEY'S TESTIMONY WILL DESCRIBE THE ORGANIZATIONAL STRUCTURES IN THE EXECUTIVE BRANCH FOR COPING WITH TERRORISM. THE DEPARTMENT OF DEFENSE HAS EXTENSIVE, ONGOING PROGRAMS DESIGNED TO CONFRONT THE TERRORIST THREAT. PROGRAMS AND PROCEDURES ARE BASED ON A BALANCE BETWEEN THE THREAT, THE DEGREE OF PROTECTION DESIRED, MISSION REQUIREMENTS, AVAILABLE MANPOWER, AND FISCAL CONSTRAINTS.

DOD INITIATIVES TO COMBAT TERRORISM FALL INTO TWO AREAS, ANTI-TERRORISM AND COUNTERTERRORISM. ANTI-TERRORISM INITIATIVES ARE DEFENSIVE MEASURES DESIGNED TO REDUCE THE VULNERABILITY OF PERSONNEL AND FACILITIES TO TERRORIST ATTACK. THESE INVOLVE ENHANCED PHYSICAL SECURITY, IMPROVEMENTS IN INTELLIGENCE COLLECTION, ANALYSIS AND DISSEMINATION, AND INTENSIVE INDOCTRINATION OF DEFENSE PERSONNEL IN THREAT AWARENESS AND PASSIVE PERSONAL SECURITY MEASURES.

WITHIN DOD, TRAINING IN COMBATTING TERRORISM HAS BEEN INTEGRATED INTO MOST SERVICE SCHOOL CURRICULA, MOBILE TRAINING TEAMS ARE BEING USED TO PROVIDE TRAINING TO OVERSEAS COMMANDS, AND PERSONNEL ASSIGNED TO AREAS VULNERABLE TO TERRORIST ATTACK ARE RECEIVING BRIEFINGS ON THE THREAT AND ON SECURITY PRECAUTIONS AVAILABLE TO COUNTER THE THREAT. SPECIFIC TRAINING PROGRAMS ARE AVAILABLE ON THE DYNAMICS OF INTERNATIONAL TERRORISM, ON INDIVIDUAL TERRORISM AWARENESS MEASURES, TERRORISM IN LOW INTENSITY CONFLICT, COUNTERING TERRORISM ON MILITARY INSTALLATIONS AND EVASIVE DRIVING

TECHNIQUES FOR HIGH THREAT PERSONNEL AND THEIR DRIVERS. EXTENSIVE REVIEWS OF OUR SECURITY PROCEDURES HAVE ALSO BEEN CONDUCTED AND ADDITIONAL SECURITY IMPROVEMENTS IMPLEMENTED WHERE REQUIRED TO PROTECT OUR MILITARY FORCES, DEPENDENTS, AND FACILITIES. FINALLY, OUR INTELLIGENCE CAPABILITIES ARE BEING IMPROVED AND TERRORISM-RELATED INTELLIGENCE IS BEING THOROUGHLY ANALYZED AND RAPIDLY DISSEMINATED TO CONCERNED COMMANDS. A 24 HOUR/7DAYS PER WEEK TERRORIST DESK HAS BEEN ESTABLISHED WITHIN THE NATIONAL MILITARY INTELLIGENCE CENTER AND A NEW TERRORIST ADVISORY REPORTING SYSTEM CREATED TO ENSURE THAT COMMANDS ARE KEPT APPRISED OF DEVELOPING THREAT SITUATIONS.

COUNTERTERRORISM, IN CONTRAST TO ANTI-TERRORISM, INVOLVES PRIMARILY OFFENSIVE MEASURES TAKEN TO RESPOND TO A TERRORIST ACT. WE RECOGNIZE THAT DEFENSIVE MEASURES, HOWEVER WELL CONCEIVED AND APPLIED, ARE NOT ABSOLUTE PROTECTION AGAINST TERRORISM. TO COUNTER THE THREAT, DOD HAS ORGANIZED AND TRAINED A COUNTER-TERRORIST JOINT TASK FORCE THAT BRINGS TOGETHER THE FORCES OF THE SERVICES UNDER A SINGLE COMMAND. THIS FORCE IS HIGHLY CAPABLE OF RESPONDING TO AND RESOLVING TERRORIST INCIDENTS WHEN SO DIRECTED BY THE NATIONAL COMMAND AUTHORTIY.

IT SHOULD BE REMEMBERED THAT THE U.S. MILITARY IS PRECLUDED BY LAW FROM DEALING WITH TERRORISM--WITHIN THE UNITED STATES, EXCEPT UNDER CERTAIN HIGHLY CONSTRAINED CIRCUMSTANCES ORDERED BY THE PRESIDENT AFTER CONSULTATION WITH THE ATTORNEY GENERAL.

OVERSEAS, THE RESPONSIBILITY FOR DEALING WITH TERRORIST ACTIVITY RESTS WITH THE HOST GOVERNMENT. IN THOSE FEW EXCEPTIONS WHERE HOST GOVERNMENTS CANNOT, OR WILL NOT, MEET THEIR RESPONSIBILITIES, AND WHERE U.S. LIVES OR INTERESTS ARE IN JEOPARDY, THE U.S., AS ANY NATION, MAY ACT UNILATERALLY TO PROTECT THESE INTERESTS.

NO SINGLE MEASURE, BY ITSELF, CAN COPE WITH THE THREAT OF TERRORISM. COMBATTING TERRORISM REQUIRES PERSISTENCE AND RESOLVE, COURAGE AND RESTRAINT. PUBLIC SUPPORT FOR "BOLD ACTIONS" WAXES WITH EACH MAJOR INCIDENT VICTIMIZING AMERICANS, AND RAPIDLY WANES IN THE AFTERMATH. U.S. COOPERATION WITH OTHER GOVERNMENTS--SO VITAL FOR ANY SUCCESS--DEPENDS ON KEEPING SUCH COOPERATION SECRET. LEAKS ABOUT INTER-GOVERNMENTAL COOPERATION ENDANGER HUMAN LIVES, HELP THE TERRORISTS, AND SPREAD DISDAIN THROUGHOUT ALL THE CAPITALS OF THE WORLD FOR THE LACK OF DISCIPLINE AND THE UNRELIABILITY OF THE GOVERNMENT INSTITUTIONS IN WASHINGTON.

MR. CHAIRMAN, SINCE THE EARLY 1970S CONGRESS HAS CHOSEN TO INVOLVE ITSELF IN INTELLIGENCE OPERATIONS AND FOREIGN POLICY ACTIONS OF THE EXECUTIVE BRANCH IN MUCH GREATER DETAIL AND TO PLAY A FAR MORE PERVASIVE RÓLE THAN USED TO BE THE CASE IN PRIOR DECADES. CONGRESS HAS CHOSEN TO BECOME CO-RESPONSIBLE FOR NEARLY EVERY FOREIGN POLICY AND INTELLIGENCE OPERATION, NOT ONLY IN TERMS OF THE BUDGET AND GENERAL OVERSIGHT AS ENVISAGED BY THE CONSTITUTION, BUT IN TERMS OF THE MOST DETAILED TACTICS AND METHODS. CONGRESS HAS THUS CHOSEN TO BE CO-RESPONSIBLE FOR THE SECRECY OF TACTIAL OPERATIONS--SECRECY NEEDED TO PROTECT HUMAN

LIVES, TO PROTECT OUR NATIONAL INTEREST. THE TIME IS LONG OVERDUE FOR THE LEGISLATIVE AND THE EXECUTIVE BRANCHES OF OUR GOVERNMENT TO COOPERATE ON MEASURES THAT WILL RESTORE A LEVEL OF DISCIPLINE IN PROTECTING SENSITIVE INFORMATION.

THERE ARE NO MAGIC SOLUTIONS TO COUNTER TERRORISM. ESSENTIALLY, WE NEED TO OPERATE ON FOUR LEVELS:

(1) WE CAN TRY TO ERECT PASSIVE DEFENSES: BARRIERS AGAINST CARS CRASHING INTO BUILDINGS, GATES AGAINST INTRUDERS, TRAVEL AND VISA CONTROLS, ETC. BUT WE ALL KNOW, WITH SOME ADDED EFFORT THESE PASSIVE DEFENSES CAN BE OVERCOME. WHAT GOOD IS OUR SCRUTINY OF PASSPORTS WITH THOUSANDS OF ILLEGAL ENTRIES INTO OUR COUNTRY EVERY WEEK?

(2) WE CAN PREPARE ACTIVE DEFENSES: ARMED GUARDS, COUNTER-TERRORIST TEAMS, APPREHENSION OF THOSE CAUGHT PREPARING A TERRORIST ATTACK. THESE EFFORTS, TO BE SUCCESSFUL, REQUIRE GOOD INTELLIGENCE. THE COLLECTION OF GOOD INTELLIGENCE REQUIRES DISCIPLINE AND SECRECY.

(3) IN THEORY, ONE WOULD WANT TO ROOT OUT THE SOURCES OF TERRORISM: THE ORGANIZATIONS PLANNING THE CRIMES, THEIR TRAINING FACILITIES, THE SOURCES OF SUPPORT AND MONEY. AT THIS LEVEL, ONE RISKS HURTING INNOCENT BYSTANDERS AND USUALLY THESE SOURCES ENJOY THE TOLERATION, IF NOT THE PROTECTION, OF A FOREIGN COUNTRY. SO YOU FACE ALL THE PROBLEMS OF U.S. INTERVENTION IN FOREIGN COUNTRIES.

IRAN HAS BEEN MENTIONED AS A SOURCE OF TERRORISM, AND LIBYA'S QADHAFI IS A SELF-PROCLAIMED SUPPORTER OF TERRORISM. WE MUST PREVENT THE SPREAD OF THIS CANCER TO OTHER NATIONS. LAST JUNE, LIBYA'S DICTATOR QADHAFI BOASTED THAT "THE REVOLUTIONARIES OF EL SALVADOR HAVE INDIRECTLY BENEFITTED FROM THE SANDINISTA REVOLUTION BY CONTACTS WITH AGENTS OF LIBYA." HE ADDED: "THE ACTIVITIES OF LIBYA'S AGENTS IN THESE AREAS HAVE INTENSIFIED." IF QADHAFI AND THE SOVIET UNION CAN CONTINUE TO SUPPORT THE COMMUNIST REGIME IN NICARAGUA, BUT THE UNITED STATES CONGRESS DENIES ALL AID TO THE NICARAGUANS FIGHTING FOR A DEMOCRACY, THE FORCES OF TERRORISM WILL ESTABLISH A NEW SOURCE AND SANCTUARY AS CLOSE TO THE UNITED STATES AS LIBYA IS TO ISRAEL. SO ON THIS ISSUE, TOO, CONGRESS IS ASSUMING A MAJOR RESPONSIBILITY.

TERRORISM IS AT BOTTOM A FORM OF WARFARE, AND IT IS DIRECTED AGAINST THE UNITED STATES AND ITS FRIENDS. IT IS UNPRECEDENTED TO ARGUE THAT WE SHOULD NOT DEFEND OURSELVES AGAINST THESE KINDS OF HOSTILITY, OR TO HELP OTHERS DO SO ON THE SPECIOUS PREMISE THAT TO DO SO IS TO VIOLATE THE SOVEREIGNTY OF THAT NATION FROM WHICH THE HOSTILE ACTION EMANATES. SENDING A TERRORIST TEAM ACROSS A BORDER TO ATTACK ONE'S NEIGHBORS IS NO DIFFERENT IN PRINCIPLE FROM SENDING AN ARMY. TO SUPPOSE OTHERWISE IS TO ENCOURAGE TERRORISM. THAT WOULD BE TO ASSUME A GRAVE RESPONSIBILITY INDEED.

Senator DENTON. Thank you very much, Mr. Ikle.

Mr. Koch, do you have an opening statement?

Mr. KOCH. No, sir.

Senator DENTON. Mr. Ikle, I see you have a true grasp of the subject. From the perspective of the Department of Defense, what do you perceive to be our national policy regarding preemptive or retaliatory strikes against terrorists? Would you also articulate the goals and objectives upon which DOD policy is based? I refer most specifically to the "no concessions" speech in which the administration announced that we will resist terrorist blackmail and pursue terrorists with the full force of the law. We will not pay ransom nor release prisoners, and we will not bargain for the release of hostages. It goes on to say that if a foreign government engages in acts of terrorism against the United States, the United States would respond effectively and vigorously, using all appropriate resources at its disposal, diplomatic, political, economic, and military.

You have heard the talk about and are reading the articles that debate retaliation. Would you please give your perception of such national policy.

Mr. IKLE. Senator Denton, we indeed have maintained a policy of not making concessions to terrorism and not paying ransom, not bargaining so as to enhance the status of terrorists or acting with them in any other way that would lead to further acts or encourage further acts of terrorism.

The idea of preemptive action, of course, is very attractive. If you can prevent the crime of——

Senator DENTON. If you would pause for a moment, sir, we heard yesterday, that in spite of our policy to not deal with terrorists, that we dealt with the PLO under the table, and that they were helping provide a force to defend our Embassy in Beirut. I think that is dealing with terrorists, if you identify the PLO as terrorists.

Mr. IKLE. In any terrorist situation, there can be negotiations for the release of the victims. What I said is we have a policy of not paying ransom or making concessions to terrorists. Our policy on the PLO, of course, our diplomatic position, Senator, is well known to you.

Senator DENTON. Well, if you would concede that the PLO has been a destabilizing influence terroristically in the Mideast, is it not curious that we would hire them, more or less literally, as guards? Is that a "no concessions, no dealing with terrorists" proposition?

Mr. IKLE. I am not sure what you are referring to here about hiring them as guards.

Senator DENTON. It came out yesterday in testimony that prior to the Israeli invasion of Lebanon, the PLO was providing security to our Embassy in Beirut.

You may not have personal knowledge about that.

Mr. IKLE. Right. I have no knowledge about that.

Senator DENTON. But that is a fact and was testified to yesterday. Then we have a feud railing on about the possible involvement of our government in having trained some Lebanese, who, in turn, performed a terrorist act which failed to obliterate the target, and there is inference that we, that this government, may have had some foreknowledge of that attempt, although no one has implied that we ordered that attempt.

What I am getting at is the rather distinct dichotomy between what our Secretary of State has indicated we might do and, frankly, at what I perceive to be the mood here in the Congress regarding the advisability of such acts. The identification, for example, of certain nations as terrorists is one of the propositions contained in legislation that I am attempting to push through Congress.

Such an effort, will be complex. I am not sure, with the present level of understanding in the Congress, that any wording that we come up with will be acceptable.

But I recognize your intelligence and your experience in this field. And I would offer you the opportunity to contribute to the dialog on that general subject area.

Mr. **IKLE**. You have touched on a number of very important and difficult questions, Senator.

The identification of nations as fostering terrorism, of course, I did this in my opening statement, and we have clear decisions, activating, for example, export controls against nations that engage in support of terrorism. That is a very important instrument. We work together with other countries trying to deny these nations types of equipment that could be used for terrorism, as well as to exercise pressure on their behavior through these export controls.

The cooperation with other like-minded democracies, Senator, is vital. The cooperation with other countries, even if not democracies, that want to help us in fighting terrorism also can be essential.

That cooperation, as I mentioned in my opening remarks, very much depends on being able to deal in secrecy with other governments. Otherwise, we lose the respect and cooperation of these governments. Without their cooperation, we cannot have any success.

Senator **DENTON**. Granted that we have exercised export-import sanctions respecting such nations is the prerogative of the executive department. That is a different matter from the legislation which has been proposed from the State Department, which I would like to support. But I am skeptical about the completeness with which we have considered criticisms and international law implications. We designate certain nations as terrorists and then prohibit Americans to go there to train terrorist—for example, in Libya. And yet Senators correctly point out that we are still doing business with Libya, that our allies are doing business with Libya, that we get oil from Libya, and we are saying "Qadhafi is the worst terrorist in the world." It just does not seem to make sense.

Mr. **IKLE**. The State Department, of course, has the lead in discussing that legislation, and Ambassador Oakley may want to comment on it further.

The reactions and questions raised by Congress regarding the legislation of course have great merit. The legislation is now being reevaluated in light of these congressional concerns.

Senator **DENTON**. OK. Thank you.

I am going to ask one more question of Mr. Koch, and then pass it on.

Mr. Koch, to what extent should preemptive and retaliatory strikes be used against terrorists in your view? For example, should we retaliate against multiple terrorist bases in Iran the next time pro-Iranian terrorists strike against Americans even in some relatively major way? If we do not, how are our warnings, to be taken seriously?

Mr. **Koch**. Senator, the question of preemption and retaliation as options for dealing with terrorism exist and they are extremely difficult. As you begin to try to sort them out, you discover what those difficulties are.

Preemption places an enormously high premium on good intelligence. We need to know about an act before it is going to take place and to be able to get in front of it before it is consummated. We do not foreclose on that option.

Certainly, it is an attractive one, but it does place such a high premium on intelligence that it is a very narrow option. It is not one that we have had a great number of opportunities to exercise.

Retaliation is a little bit different problem. It places the same premium on intelligence, on knowing who it was that did the act which provoked the retaliation. But it also has a political dimension. One can virtually guarantee that if you go in and attack a target, being hypothetical, even if you hit whoever is the worst terrorist on your list, if you hit him and nothing else, you will still be subject to the claim that the collateral damage took out an orphanage, an old folks home, and two schools.

That will gain currency very rapidly, and I suspect that the problem you will face is that your domestic opinion, a very substantial part of the Congress, and many of your allies will create such a firestorm of adverse opinion that you will only get one retaliatory strike.

The better part of wisdom is to try to avoid being in a situation where retaliation is justified. There are options.

The difficulty with both of these options is that they are essentially reactive. The terrorist has the initiative. We should find ourselves in circumstances in which we can seize the initiative, in which we can go after some of these folks and deal with them on our terms, rather than reacting to them on their terms.

Senator **Denton**. I would yield, at the indulgence of my cochairman, to the minority side.

Senator **Trible**. Certainly; Senator DeConcini.

Senator **Denton**. Senator DeConcini was the first one here, if that is OK with the other members.

Senator **DeConcini**. Thank you, Chairman Denton and Chairman Trible. I will be short. I have some questions for the next witness which I will ask be submitted at the proper time.

Mr. Ikle, we have been told here and in other meetings, or rather we have been told in other meetings and I would like to have confirmation here, that the military has some contingency plans to deal with terrorist incidents. Can you explain to us the extent that the Department of Defense is involved with other law enforcement agencies, such as the DEA, in planning, and what kind of procedure, and is it really operative? Can they respond, this cooperative effort, if it does exist?

Mr. **Ikle**. Senator, we have a continuing effort to prepare and update our contingency plans. We do have cooperative arrangements with other agencies, as I mentioned. For instance, in the

United States, the Department of Defense will only act under the most special circumstances.

Senator DeConcini. What is that? Is that a governing council or a group that meets every week or on an emergency basis? Can you give us a little idea?

What I am interested in knowing, frankly, is how realistic is our Defense Department's close contact and operation with other law enforcement bodies?

Mr. Ikle. We have interagency groups that coordinate among all the concerned agencies both our planning for terrorism, and in the event of an actual terrorist incident, we have a special group set up under the Vice President which would be activated to cope with that incident.

Senator DeConcini. And that is a coordinated effort with other law enforcement agencies?

Mr. Ikle. Yes.

Senator DeConcini. Do they meet to plan this potential necessity for possible emergencies?

Mr. Ikle. They meet for both the means and the specific plans. Mr. Koch may want to elaborate further. He is involved in the interagency efforts on a daily basis.

Senator DeConcini. Mr. Koch, maybe you can help me.

Mr. Koch. There is, as Dr. Ikle says, an interagency group on terrorism. This is chaired by Ambassador Oakley. The State Department is the lead agency in this. This engages all the agencies in Government that have an interest or role or some responsibility within this area that brings us together today.

In the event of a specific incident, there is convoked a terrorist incident working group. This is a very tailored arrangement in which the players from the respective agencies involved in the terrorist incident are brought together under the aegis of the working group which is chaired by the NSC, and they work that incident until it is concluded.

Senator DeConcini. So, if there were a terrorist attack on the White House lawn or on one of the Federal buildings here, something like that, that would instantly go into effect, this group that you are talking about?

Mr. Koch. That's correct. Yes.

Senator DeConcini. Thank you.

Some witnesses have said that the Drug Enforcement Administraton is seriously short-handed overseas. What assistance can the Department of Defense offer to supplement or augment the DEA information gathering and counter-drug questions abroad?

Mr. Ikle. Well, the assistance would be limited by a number of legislative provisions. We are, of course——

Senator DeConcini. Excuse me. Can you tell me what legislative provisions there are? Can you itemize?

Mr. Ikle. Well, one is the Economy Act. If you serve the purposes of another agency, under the Economy Act, there has to be a reimbursement.

Second, we have to be concerned about our primary mission that the Department of Defense has to attend to, to see whether the primary mission would suffer by providing more extensive assistance.

But we fully recognize the close, intertwined thread between the narcotics problem, particularly in this hemisphere, and security problems. We have sought to develop better cooperation, first of all, on an intelligence basis.

Senator DeConcini. Let me interrupt you for a minute.

What you said is very disturbing, if I understood it correctly.

If the DEA needed assistance in some drug case, the Department of Defense would first look at the Economy Act to see whether or not they could give them any assistance?

Mr. Ikle. It would not delay us in any activities. But we do have to straighten out the bookkeeping afterwards in order to comply with the law.

Senator DeConcini. You can't just act?

Mr. Ikle. I don't think there is an incident where this provision caused unwarranted delay.

Senator DeConcini. What about intelligence? Can you enlighten us? Does the Defense Department share automatically intelligence that it has overseas or here with the DEA?

Mr. Ikle. We have an interagency process for sharing intelligence bearing on terrorism and narcotics, as I said. The intelligence community shares intelligence, with all responsible agencies, including the DEA.

Our collection systems which, say, the Defense Department may have primary responsibility for, serve the intelligence community.

Senator DeConcini. And I assume, then, on a hypothetical, that if the Defense attaché in Thailand or the Far East came across information in regard to drug trafficking, that it would automatically, regardless of the Economy Act, be turned over to the DEA agents that might be there?

Mr. Ikle. Oh, I see the point of your question.

The Economy Act does not affect the collection of intelligence.

Senator DeConcini. So the Economy Act would affect what?

Mr. Ikle. Operations.

Senator DeConcini. Operations, equipment, and that sort of thing?

Mr. Ikle. For example, we have provided assistance that was for the Customs Bureau in the identification of drug smuggling and interception. If that were to be extended, we would have to sort out the moneys, from which accounts they come from.

Senator DeConcini. Thank you.

Mr. Chairman, I have some other questions which I will submit to both these witnesses and to Ambassador Oakley.

Thank you very much.

Senator Trible. The witnesses will be asked to respond to those questions in writing.

Senator DeConcini. I thank the Chairman for his courtesy.

Senator Trible. Mr. Ikle, I want to pursue the question of whether the policies, planning, and personnel now in place are adequate to respond militarily to a terrorist attack. As you heard me say at the outset, a number of witnesses have suggested that our special operations forces are badly coordinated, that they lack the command structure to oversee swift, effective retaliation. Additionally, they argue that Government decisionmaking machinery is far too cumbersome to make timely decisions.

I would like you to respond to those allegations, and put my unease to rest.

Mr. Ikle. I have been observing and in part involved in the changes and the vitalization effort that we have been engaged in in our counterterrorist, antiterrorist capabilities, over the last 4 years. While there were major difficulties of coordination that had to be settled—both for legal and bureaucratic reasons we had certain difficulties, but I think we have overcome these now—we have a very effective system of cooperation, including such agencies as the DEA, an effective mechanism between the State and Defense Departments and the intelligence organizations. Likewise, the training and the equipment of military forces that can make a contribution to combating terrorism or to act, to respond to terrorist incidents has been stepped up over the last 4 years—more sophisticated equipment, better training, better coordination.

So I feel we have made real progress.

There are some additional steps we want to take, some additional equipment we want to acquire over the next several years. I don't know whether Mr. Koch wants to elaborate further on that item. He has been directly involved in these areas.

Senator Trible. Mr. Koch, why don't you address that. I know you have an ongoing colloquy with the Air Force, over their enthusiasm for these kinds of operations.

Mr. Koch. Yes, sir, Mr. Chairman.

I am afraid that that ongoing colloquy may have confused these hearings somewhat.

I have not heard the previous testimony on the point.

I want to make a clear distinction between our counterterrorist forces, which I think are of primary concern to these committees.

These forces are quite adequate to the threat. The services have never begrudged the capabilities, the manpower, the equipment, or the expenditures necessary to maintain these forces in the highest state of combat readiness. The disagreements and the confusions that result, I think, from this subject, stem from the larger initiative that Mr. Ikle has referred to, the special operations forces revitalization undertaking, which I try to keep as separate as I possibly can in discussing this, because these are disparate endeavors.

The special operations force revitalization effort has to do with the reconstruction, the restoration of those forces which we have traditionally called special operations forces. The Air Force SOW, the Navy SEAL teams, the Army Special Forces, the Green Berets, as you know them.

That has been contentious. There is no question about that. It has been contentious from the outset, for 25 years. Vietnam introduced a great perturbation in this effort. This administration has recognized that, in this area of low intensity conflict, of which terrorism is only a very small part, we have to have other kinds of capabilities at our disposal to address the problem. We have been in an effort with the services to restore these forces. I might say that this is coming along very nicely, and the differences of opinion which we have had with the Air Force in recent times have been resolved, and we are very happy that things are progressing in a very positive way.

But I want to leave with this committee the understanding that these are two separate initiatives. One of them has been contentious, probably will be in some respects contentious; but the question of our counterterrorist forces is not a question as far as we are concerned. They are adequate.

The difficulty is the kind of threat that they were created for and trained to operate against. That threat has very much diminished in recent years.

I can elaborate on that somewhat if you are interested.

Senator TRIBLE. That is an issue that I do want to pursue further, but not at this time.

Let me move to a different area, if I may, and then yield to my colleague for questions.

Mr. Ikle, in your testimony, you state, and I quote:

> The Governments of the Soviet Union, Cuba, and Nicaragua have also supported terrorism, though they have been conscious of the benefit of concealing their involvement so as to mislead Western opinion and to forestall a response by the democracies.

I would like to direct your attention specifically to Nicaragua. I would ask you to document that for us on the record, as fully as you can today. It may require additional response in a more confidential manner.

Mr. IKLE. The important point there is the timing, when these initial acts of sponsored terrorism by Nicaragua, by the current Communist Government of Nicaragua, occurred. The first such acts occurred shortly after 1979, when we were still extending financial assistance to Managua, up until 1981, when there was no insurgent threat to the Government of Managua in Nicaragua itself, as there exists today from the freedom fighters.

So, contrary to what some people have argued, the sponsored acts of terrorism have not been a response by the commandantes in Managua to what they claim is outside interference, but have been an initiative during a period when they were receiving financial assistance from the United States larger than the preceding government has received for 20 years.

The Governments of Costa Rica and Honduras have documented these incidents. We have released publications reporting this documentation, supporting and financing terrorist cells in both of these neighboring democracies.

Some of these were also documented by the media.

I stress so much these early incidents not to say there are no current ones. There is more going on currently. But I do so because of the cause and effect confusion about this kind of activity and the situation that Nicaragua now finds itself in.

Senator TRIBLE. Let me ask one additional question since I have the gavel in hand.

Senator LEAHY. Excuse me, but will I have a chance to ask any questions before the vote is over?

Senator TRIBLE. Yes.

Senator LEAHY. We have had the 5-minute bell, I believe.

Senator TRIBLE. Well, that is not exactly true.

I will ask my third question, I will tell my colleague on the second round, and I will yield to you.

Senator LEAHY. Oh, I will yield for it. Go ahead.

Senator TRIBLE. If you would like to ask a question, this is the time to do it.

Senator LEAHY. No, no; you go ahead. If you only have one more question, ask it.

Senator TRIBLE. Well, I may take another after that.

But the question specifically on this round would be this. Can you detail for us very briefly the presence of PLO, Libyan, and Iranian personnel in Nicaragua? I understand that they are present and involved perhaps in these kinds of activities, in training, for example.

Mr. IKLE. We estimate that there are now some 50 Libyans in Nicaragua. The speech that I quoted from was given by Qadhafi, a public speech in June of last year, some 11 months ago. His quote openly states, unlike some other governments, his sponsorship of these activities, and boasts about it.

Libya's involvement is particularly significant because of the willing and public association of Qadhafi with acts of terrorism in Western Europe and in other countries. So people who will always want to find some room for doubt are not given that excuse in the case of Libya. Likewise, of course, for Iran.

The PLO presence, if I remember correctly, offhand, was shown in Nicaragua around 1982 or 1983, and they have been training pilots. Libya, of course, also has been trying to ship arms to Nicaragua. You will recall the incident where such a shipment was stopped, as it was trying to make its way through Brazil, about a couple of years ago.

There is other evidence where the sources are more sensitive, which can be briefed in a classified way.

Senator TRIBLE. Thank you.

Senator Leahy.

Senator LEAHY. We have some material on that, I would advise my colleague from Virginia, in the Intelligence Committee, and he is welcome, of course, to come and see it.

Mr. Ikle, I was pleased to hear the testimony about the cooperation among the services, and I will have some questions for the record because both in the Appropriations Committee and in the Intelligence Committee we get a somewhat different picture.

My question is how difficult would it be for a terrorist to acquire a nuclear capability? Is there any evidence at this time that any terrorist group or any state backing terrorism, such as Libya, has acquired or is in the process of acquiring a nuclear capability?

Mr. IKLE. Yes. There is evidence that, again, Qadhafi and Libya is trying to acquire a nuclear capability. That has been going on for about ten years. I remember being involved in it myself when I was Director of the Arms Control Agency, trying to stop shipments of technology that could be used for nuclear weapons development.

That would be one instance.

Senator LEAHY. How difficult would it be for a terrorist to acquire such a nuclear capability? That basically is my question, especially if they are state sponsored?

Mr. IKLE. I believe I have the point of your question.

Senator LEAHY. I am thinking especially of state sponsored terrorism, with all the money, and all the diplomatic cover and everything else that a state sponsored terrorist group might have.

Mr. **Ikle**. Let us make a distinction, and your question is leading to that. If you talk about state-sponsored terrorism and you are dealing with governments which, over time, can acquire nuclear weapons or that already possess nuclear weapons, then, of course, in the last analysis, they could make those weapons available to their terrorist organizations.

If you are talking about terrorist organizations that are not directly state sponsored, the question is could they get their hands on some existing nuclear weapons or fabricate them themselves.

We have extensive protective measures, and so I think do all nuclear weapon states, to protect our nuclear weapons, particularly those located overseas, but also located anywhere, physical protective measures both built into the weapons themselves in the storage sites, and those have been improved over the last 10 years, and there is a continuing effort of improving them further, going on within the alliance.

Senator **Leahy**. Right.

You and I discussed that almost 9 or 10 years ago——

Mr. **Ikle**. Right.

Senator **Leahy** [continuing]. When Senator Stennis asked me to look into this because we did have some problems in storage in a couple of places.

Mr. **Ikle**. Exactly.

Senator **Leahy**. I think as a result of that trip we spent a couple of hundred million dollars more in the Department of Defense to improve the security.

Do we have or are we planning any type of communication or chain of communication with the Soviet Union in case of a terrorist sponsored nuclear attack against either of the Super Powers? I am thinking of the kind of attack that could trigger a nuclear response, not at the terrorists, but at one of the Super Powers against each other, primarily by mistake. Do we have provisions where, if a nuclear weapon is set off by a terrorist group in New York or Moscow, the other side will have some way of at least having the opportunity to say " 'tweren't us?"

Mr. **Ikle**. Yes; efforts to this end go quite far back, as you, yourself, will recall. The hot line in itself is a mechanism that could be helpful in such a situation.

As you also know, the prevention of nuclear proliferation is one area of arms control where our cooperation with the Soviet Union has been relatively productive. That is continuing and ongoing. We have strengthened the International Atomic Energy Agency, measures against the diversion and threat of nuclear materials have been improved, an international convention has been developed during the last decade.

In addition, we have pending with the Soviet Union additional proposals for coordination for various types of incidents, improving military to military communications, which could also deal with this kind of terrorist action.

Senator **Leahy**. I notice that my time has expired and I do not want to go over it. I may have further questions on this.

I believe I will be submitting some questions on the question of coordination and cooperation. We have some very impressive pieces in place, and I am concerned that they are not adequately coordinated.

Thank you.

Senator TRIBLE. There is a vote ongoing, so I will join my colleague and will leave Senator Biden—who is recognized—to oversee these proceedings.

Senator BIDEN. Thank you, Mr. Chairman.

I am not sure I can handle this. It has been so long since I have been in the business of chairing a hearing. But I am going to give it a shot. [Laughter.]

Gentlemen, as you well know, there is a mounting concern, evidenced by the administration through you all, and evidenced by Members of the U.S. Senate and the U.S. Congress generally, about terrorism and the connection between terrorist activities and their ability to fund those activities through the illicit profit from drug sales.

One of the things I am a little bit disturbed—"disturbed" is the wrong word—that I am concerned about is that we all, as we approach what is an emerging and unfortunate, problem, we approach it with an understandable lack of precision, because it is new—we are working out a new arrangement and it is new for us. But we have a tendency to speak as if we know, with precision, what it is that we are talking about. Now this is maybe not you all, but we in the Senate sometimes do that. I suspect that we all do it a little bit.

What I would like to do is go back and cover a little bit of ground that has already been covered to try to be as specific as we can be.

My first question is to you, Mr. Ikle.

Is there any legislative impediment that presently exists that, in your view, prevents the Defense Department from (a) doing the job it thinks it could with regard to terrorists, and (b) cooperating with the drug enforcement agencies on the coordinated drug policy of this country?

Those are two separate questions. One is just straight terrorism and whether or not they are related to drugs. The second is cooperating with drug oriented agencies of this government.

Is there any legislative impediment that you are aware of?

Mr. IKLE. That is a more difficult question, Senator, than you may have intended it to be.

At first cut, the answer would be no. We can obviously cooperate with other agencies, and we in particular can also deal with drug connected terrorism.

Then, if you ask yourself why weren't we more successful in various instances in the past, as you analyze things with hindsight, you find that a number of things can go wrong.

One of the things that can go wrong, as I mentioned in my opening testimony, is that what should be kept secret leaks out.

So, you ask yourself, are there legislative impediments to cope with the problem of leaks, and the answer to that would be clearly yes.

The question about protecting intelligence that has been entrusted, given to us by foreign governments that want to cooperate with us, we had certain legislative impediments, and one of them was called the Freedom of Information Act. Part of that has now been rectified so that foreign governments that give us sensitive information, or what they consider sensitive, in order to cooperate with us in combating terrorism, can be assured that this will not get caught in the mills of the Freedom of Information Act and become public later on.

And so, one could go on.

But these are really second order impediments that we have throughout our Governments operations in all fields.

Senator **Biden**. So, the basic impediment, to the extent that one exists, extends not in terms of whether or not you are legally allowed to cooperate and/or bring to bear elements of the Defense Department's capability on the problem, but also whether or not foreign governments are willing to cooperate because of their concern for secrecy.

Now we went to great lengths at the urging of this Administration to deal with the Freedom of Information Act and other requirements of the law relating to secrecy. As the ranking member of the Judiciary Committee and being No. 2 on this committee on our side, I think we have met most of the stated objections. But, for the record, if there is anything that remains that you believe causes difficulty in getting cooperation, I would be pleased to know. You need not answer that now, but if you would like to, submit something for the record.

Mr. **Ikle**. I will submit something for the record.

[The information referred to follows:]

INTELLIGENCE OVERSIGHT ACT AND WAR POWERS ACT REPORTING REQUIREMENTS

Question. Are there any legislative impediments that prevent DOD from (a) doing the job it thinks it could with regard to terrorism and (b) for cooperating with drug enforcement agencies or the coordinated drug policy of this country?

Answer. (A) DOD believes that special operations forces in the conduct of their missions operate under the same legislative impediments and restrictions that effect the mission capability of all U.S. Armed Forces. DOD and DOS are addressing these impediments within their legislative initiatives for fiscal year 1986.

(B) DOD believes that the legislation concerning drug enforcement cooperation is adequate and permits DOD to support and participate in the coordinated drug policy in a manner which is in keeping with its national security mission.

Mr. **Ikle**. One concern that I highlighted today is that we have to work together, Congress and the executive branch, in becoming more effective in protecting sensitive information.

Senator **Biden**. Now let me ask you a second question, and I will get to you, sir. But we are going to stick with Defense for just a moment here.

For 5 years, I, along with some others, argued that through two administrations—actually, it is more than 5 years, it is 8 years almost—we had a lack of a stated policy relative to drug interdiction separate and apart from terrorism and also when it impacted on terrorism and on terrorist funding. And we finally passed a law, after some cajoling and compromising, for a so-called Drug Czar.

We now have the Attorney General in effect as the Drug Czar, the coordinator. And there is an interagency group that is meeting. I do not mean to belittle interagency groups, but we all understand how difficult sometimes it is for interagency groups to come up with hard recommendations.

My question is this. Can you tell me what directives you at the Defense Department have received from the Secretary of Defense regarding the priority of interdicting drugs, and what position and role the Defense Department is to play in that? How specific a directive do you have in terms of what part you all play in our international and national drug strategy? Or has that occurred yet?

Mr. **Ikle**. We have an ongoing process right now of reviewing what role we can pay, given present legislation and what possibly we should propose to be changed in the legislative provisions.

As I mentioned earlier in response to a similar question, the Department of Defense has as its primary mission the national security mission, the readiness of its forces, and the Armed Services Committees have a major concern and have expressed this concern, that if our forces, for example, in the Caribbean, to mention a concrete and important example, were extensively used to assist, say, the Coast Guard in interdicting the flow of drugs from the south into this country, that training and readiness might deteriorate.

Now we have worked out arrangements which provide extensive assistance which avoid, as far as we can tell, significant deterioration in training and readiness, and so that problem has so far been avoided.

But if it should go further, we would then come to a threshold where Defense dollars, Defense Department assets, are being used, really, for another purpose, drug interdiction. I am not saying anything about the priorities for these purposes.

Let me also add that I got myself personally engaged in this in order to see whether we could, indeed, do more and whether additional resources would be warranted.

I do not want to speak for the Drug Administration, but I have been given to understand that the marginal dollar you would want to invest to combat the narcotics problem you might first put into efforts within this country, rather than into interdiction—say, if Congress allocated another $10 million or $50 million to this problem. That may not be the first priority.

That is a very difficult judgment, of course, for anyone who is familiar with this question.

Senator **Biden**. I understand that. I happen to disagree with it, but I understand it. I think you have made a very important and telling point here, and I realize my time is up, but may I just complete this thought, Mr. Chairman.

And, by the way, Mr. Koch, I apologize. With that pin stripe suit, I thought you were with the State Department for a minute. I apologize. [Laughter.]

The point you just made, Mr. Ikle, is one, a feeling held and felt by many people, many responsible people who have worked long and hard in this area of drug abuse. For the last 9 years, I have probably spent more time here on that than on anything else.

Whether or not I disagree with your view on where the marginal dollars could best be spent, the problem we have is that there are very bright, capable people like you in the Government who hold that view, and people who hold a dissimilar view in other Departments. The reason for the Drug Czar is to get the game plan straight.

Mr. **Ikle**. Yes.

Senator **Biden**. You have evidenced, correctly so, as has the State Department already, that we do not have it straight yet. That is to say, that debate is going on.

We should settle it quickly. We should make the judgment. You all should be told by the Drug Czar, through the President, what the policy is and what the priorities are.

Now, if the President concludes through his Drug Czar that, in fact, we should continue the way within which the Defense Department is going, that that is the way to go, well, that is the judgment. That is the President's judgment.

But right now we do not have such a policy.

This is not a criticism of you. It is not even a criticism at this moment of the administration because it is just starting on this.

But by the end of this year, we ought to have one, single, coordinated drug policy. There should be no mistake. The State Department should understand, if told, that not only do they carry treaties in their briefcases, but that part of their brief is to deal with drug interdiction problems.

The Defense Department may or may not be told that a higher priority should be allocated, including the use of Defense dollars for that, because some of us believe we are much more likely to be killed as a consequence of drugs being imported into this country by being mugged in the parking lot when you leave the Defense Department than you are by a Russian missile.

Now I am being serious. I view this as an element of our defense.

Anyway, thank you very much, and I will have more questions later.

Thank you, Mr. Chairman.

Senator **Denton**. Thank you.

I will recognize Senator Eagleton, who has been here for a while.

Senator **Eagleton**. Thank you, Mr. Chairman.

I ask unanimous consent that a statement of mine be printed in the record earlier in the hearings where such statements were introduced.

Senator **Denton**. Without objection.

Senator **Eagleton**. I also ask unanimous consent that a series of articles appearing in the Washington Post and the New York Times relating to the bombing in Beirut, in which 80 people were killed, be printed in the record at this point.

Senator **Denton**. Without objection, it is so ordered.

[The information referred to follows:]

/From the Washington Post, May 13, 1985/

Sen. Leahy Is Probing Some CIA Operations

Counter-Terrorism Program Scrutinized

By Bob Woodward
and Charles R. Babcock
Washington Post Staff Writers

Sen. Patrick J. Leahy (D-Vt.), vice chairman of the Senate Select Committee on Intelligence, said yesterday that he has begun an independent inquiry into a half-dozen CIA operations, including a counter-terrorism program that was canceled after an unauthorized car-bomb blast last March killed more than 80 persons in Beirut.

Leahy said he wants to know more about several sensitive operations and seeks more details on others about which he feels the committee wasn't fully informed.

"We're going to review six to seven operations on our own," he said.

Leahy said he did not know of the counter-terrorism plan in Lebanon, but when asked about it last month, he made inquiries "and found out about it on my own." He refused to give further details.

By law and by agreement with the Reagan administration, the chairmen and vice chairmen of the Senate and House intelligence committees are to be informed of all covert CIA activities. An administration source insisted that the committees had been fully informed, both orally and in writing, of all covert or otherwise sensitive operations.

Some Operations of CIA Probed by Sen. Leahy

COVERT, From A1

The Washington Post reported yesterday that President Reagan approved the plan late last year directing the Central Intelligence Agency to train foreign teams to make preemptive strikes against terrorists.

The plan was rescinded after members of the unit hired others to set off, without CIA approval, a car bomb that killed more than 80 persons on March 8, the sources said. The target, a suspected terrorist leader, escaped unharmed.

"Things have fallen between the cracks," Leahy said. "I do not want my side to get caught on a Nicaragua-mining type problem."

A CIA operation to plant mines in harbors in Nicaragua caused controversy last year because several members of the intelligence oversight committees claimed CIA Director William J. Casey had not told them enough about the operation.

Leahy said he feels Casey and other agency officials are willing to answer the committee's questions about any matter. But he said nothing is volunteered if the questions are not framed exactly right.

Leahy said he told other committee Democrats last week that the inquiry is needed because when he became vice chairman in January, he found that he did not know sufficient details of some of the CIA's most secret and potentially controversial operations.

He declined to identify the other operations.

Leahy said he told the Democrats he is committing his staff to the inquiry and might ask them also to provide staff assistance. The committee assigns staff members to individual senators.

SEN. PATRICK J. LEAHY
... conducts independent inquiry

Sen. Sam Nunn (D-Ga.) said yesterday that he was not able to attend Leahy's meeting of Democratic committee members, held last Thursday.

No staff members were present, Nunn said. He added that he would have no comment about Leahy's plan or The Post story.

Leahy said he has good relations with the Senate intelligence committee chairman, David F. Durenberger (R-Minn.), but feels it is necessary to proceed with his own inquiry.

Another committee source said, however, that Leahy and Durenberger have basic disagreements about the use of staff resources and the direction of the committee.

Durenberger could not be reached for comment yesterday. But he said in a recent interview that he hopes the committee will not have to spend much of its time dealing with controversial CIA operations.

He said he wants to shift the oversight role "from putting out fire to fire prevention."

Durenberger said that, in the past, about 90 percent of the committee's time has been spent on intelligence controversies and that he hopes to reduce that significantly.

Administration spokesmen continued to decline to comment on The Post story.

Secretary of State George P. Shultz, in Israel yesterday, said of the story: "I haven't seen The Washington Post today. I do have a very strong view about terrorism, as is well-known. I also have the view that at this stage, actions will speak a lot louder than words, so I don't have anything to say about it."

Shultz, who has made strong public statements about taking action against terrorists, said later that he has decided, for the time being, not to comment on the general subject of terrorism. While Shultz was in Jerusalem, several terrorist bombs exploded there and one was defused.

Robert Sims, deputy White House press secretary, told United Press International, "We never discuss intelligence matters." But he added that The Post story contained "a lot of speculation."

Sources have said Reagan ordered that only the chairmen and vice chairmen of the intelligence committees be notified of several covert operations undertaken late last year, including the antiterrorist training program in Lebanon. There is some question whether all the details filtered down when Durenberger and Leahy assumed leadership of the Senate committee in January.

Staff writer Don Oberdorfer contributed to this report.

/From the New York Times, May 13, 1985/

Lebanese Group Linked to C.I.A. Is Tied to Car Bombing Fatal to 80

By STUART TAYLOR Jr.

Special to The New York Times

WASHINGTON, May 12 — A car bombing in a Beirut suburb that killed more than 80 people on March 8 was carried out by people hired by a Lebanese counterterrorism unit that had been working with the Central Intelligence Agency, Congressional and Administration sources said today.

Although the C.I.A. neither authorized the bombing nor knew about it in advance, it caused the Reagan Administration to draw back from efforts to use Lebanese groups to strike against terrorists planning violence against United States installations in the region, the sources said.

The bombing was apparently an unsuccessful attempt on the life of Mohammed Hussein Fadlallah, a militant Shiite leader thought to be responsible for terrorist attacks on United States installations in the Middle East.

Shultz Declines to Comment

The connection between the unit working with the C.I.A., which included Lebanese intelligence agents, and the group that carried out the car bombing was first reported by The Washington Post today.

"We do not comment on stories involving intelligence matters or alleged intelligence matters," said Anita Stockman, a State Department spokesman, in giving the only official Administration response today. Secretary of State George P. Shultz would not comment directly on the report when questioned by reporters aboard the plane carrying him to Jordan today, but said his views on the need to combat terrorism were well known.

Some Administration officials confirmed aspects of The Post article, but others said it contained what they called "substantial inaccuracies." A knowledgeable Congressional source said the article was essentially accurate.

Pressure and the Pitfalls

While many aspects of the matter remain murky, Congressional and Administration sources disclosed details today that some said showed the pitfalls of working with foreign proxies who may be difficult to control, in highly sensitive counterterrorism operations.

Senator Daniel Patrick Moynihan, Democrat of New York, said today that he was informed late last year, when he was vice chairman of the Senate Intel-

Lebanese Group Linked to C.I.A. Is Tied to Car Bombing Fatal to 80

Continued From Page A1

ligence Committee, that President Reagan had ordered the C.I.A. to develop "a small antiterrorist effort" in the Mideast.

Senator Moynihan said that he had assumed the C.I.A. would work with intelligence agencies and others in Lebanon and elsewhere but that it had not been specified what would be done.

'Good Luck to Them'

"My personal view was good luck to them," he said, adding that that he had no direct knowledge of what had happened since he left the Intelligence Committee in January.

A senior Administration official said today that the C.I.A. was working with a Lebanese unit that, without the agency's knowledge, hired a different group to kill the Shiite leader. It was this second group, the official said, that set off a huge car bomb outside the Shiite leader's home on March 8.

A Congressional source with knowledge of intelligence activities confirmed this account and added that, after the bombing, the covert support operation that Mr. Reagan had ordered was discontinued or cut back.

'A Lebanese Operation'

Two other Administration officials stressed that the unit working with the C.I.A. was not the one that did the car bombing. "We have had operating in the area counterterrorism groups," one said, "but our groups were not involved in this."

"This was a Lebanese operation," he added. "We maintained contact, intelligence contact, with Lebanese intelligence and of course we talked about counterterrorism and planned things together. But this was not our operation and it was nothing we planned or knew about."

Senator Patrick J. Leahy of Vermont, who succeeded Senator Moynihan as vice chairman and senior Democrat on the Intelligence Committee, said today that he could not comment directly on the Lebanese counterintelligence operation but that the C.I.A. had not "volunteered" any information about it to him.

He said he had asked the C.I.A. for information about its counterterrorism activities after hearing about them through press inquiries. And he accused the C.I.A. of taking a narrow, legalistic approach under the law that requires reporting of significant intelligence operations to the Senate and House Intelligence Committees or to their leadership.

"I am sure they would make an argument that they had followed the very strict letter of the law if they had informed the chairman or past chairman," Senator Leahy said, but "it certainly doesn't follow the spirit of the law."

He said he would support efforts by the Administration to take effective action against terrorists, including both pre-emptive strikes to prevent planned attacks and retaliation after terrorist attacks have been completed against United States installations.

But he said "we ought to do it with our own people and not use surrogates" because foreign units have "their own agenda which may or may not be ours." Using them, he said, "would be sort of like the 'contra' war in Nicaragua, you get the atrocities and things and we don't have control over it."

'Not Adequately Prepared'

"I am very much afraid that we are not adequately prepared to strike," Senator Leahy said.

"I don't think that they have a cohesive, coordinated philosophy or ability to deal with terrorism," he said of the Administration. "I have been trying to scream to the C.I.A. and others that tough talk is not a substitute for action."

Terrorist attacks against United States installations and nationals, especially in Lebanon, have been one of the Administration's most vexing problems.

While Mr. Reagan and other officials have warned that the United States will strike back at terrorists, the groups responsible for such attacks as the bombing that killed more than 241 servicemen in their Beirut barracks in October 1983 have proved elusive, and fear of killing innocent civilians has restrained any efforts to strike at them.

Mr. Shultz has repeatedly said that the United States must be ready to use military force against terrorists. In a speech on Dec. 9, for example, he cited the Talmud as supporting the "universal law of self-defense" and quoted a passage that says, "If one comes to kill you, make haste and kill him first."

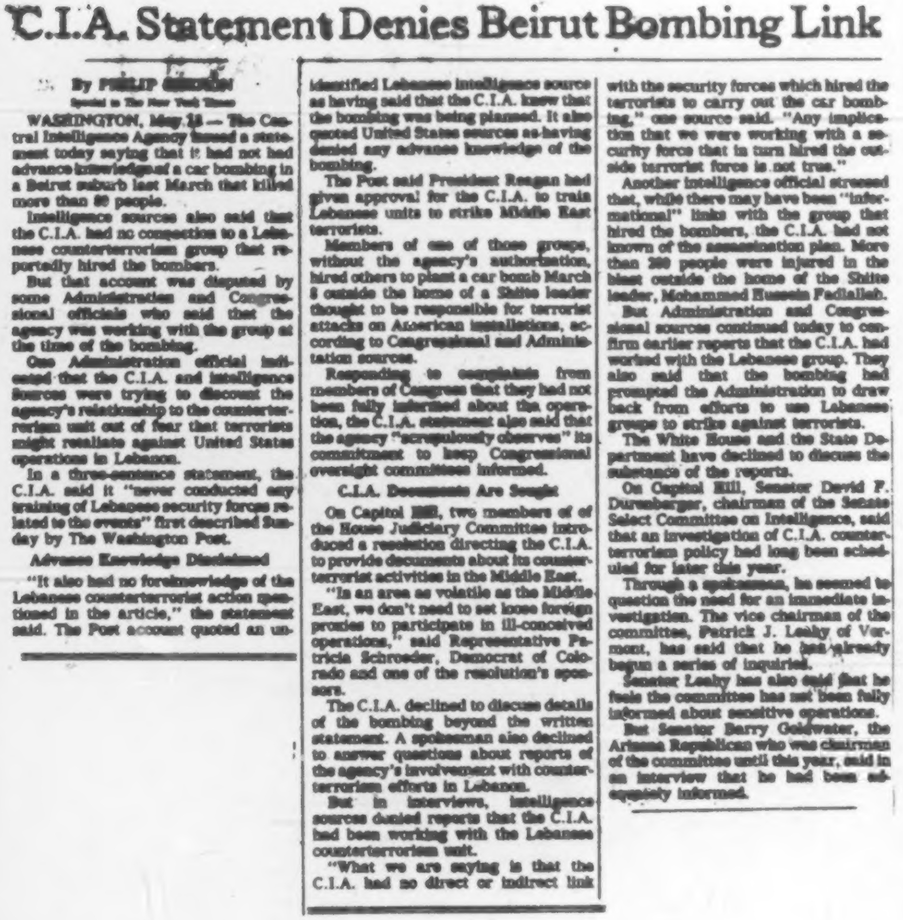
Operations Called Ill-Conceived

Robert H. Kupperman, an expert on terrorism at Georgetown University's Center for Strategic and International Studies who has been a consultant for the State and Defense Departments, said the Lebanese operation appeared to be "one of a number of ill-conceived operations" using foreign proxies.

He said the temptation to use foreign units for counterterrorism reflected both the Pentagon's reluctance to use the military for such activities and the C.I.A.'s reluctance to use its own people, especially in light of executive orders by Presidents Carter and Reagan barring C.I.A. involvement in assassinations.

"When you begin to use proxies, unreliable nationals of another nation, you invite nothing but trouble," Mr. Kupperman said. "You also invite a cycle of retaliation."

[From the New York Times, May 14, 1985]



C.I.A. Statement Denies Beirut Bombing Link

By PHILIP SHENON

Special to The New York Times

WASHINGTON, May 13 — The Central Intelligence Agency issued a statement today saying that it had not had advance knowledge of a car bombing in a Beirut suburb last March that killed more than 80 people.

Intelligence sources also said that the C.I.A. had no connection to a Lebanese counterterrorism group that reportedly hired the bombers.

But that account was disputed by some Administration and Congressional officials who said that the agency was working with the group at the time of the bombing.

One Administration official indicated that the C.I.A. and intelligence sources were trying to discount the agency's relationship to the counterterrorism unit out of fear that terrorists might retaliate against United States operations in Lebanon.

In a three-sentence statement, the C.I.A. said it "never conducted any training of Lebanese security forces related to the events" first described Sunday by The Washington Post.

Advance Knowledge Disclaimed

"It also had no foreknowledge of the Lebanese counterterrorist action mentioned in the article," the statement said. The Post account quoted an unidentified Lebanese intelligence source as having said that the C.I.A. knew that the bombing was being planned. It also quoted United States sources as having denied any advance knowledge of the bombing.

The Post said President Reagan had given approval for the C.I.A. to train Lebanese units to strike Middle East terrorists.

Members of one of those groups, without the agency's authorization, hired others to plant a car bomb March 8 outside the home of a Shiite leader thought to be responsible for terrorist attacks on American installations, according to Congressional and Administration sources.

Responding to complaints from members of Congress that they had not been fully informed about the operation, the C.I.A. statement also said that the agency "scrupulously observes" its commitment to keep Congressional oversight committees informed.

C.I.A. Documents Are Sought

On Capitol Hill, two members of of the House Judiciary Committee introduced a resolution directing the C.I.A. to provide documents about its counterterrorist activities in the Middle East.

"In an area as volatile as the Middle East, we don't need to set loose foreign proxies to participate in ill-conceived operations," said Representative Patricia Schroeder, Democrat of Colorado and one of the resolution's sponsors.

The C.I.A. declined to discuss details of the bombing beyond the written statement. A spokesman also declined to answer questions about reports of the agency's involvement with counterterrorism efforts in Lebanon.

But in interviews, intelligence sources denied reports that the C.I.A. had been working with the Lebanese counterterrorism unit.

"What we are saying is that the C.I.A. had no direct or indirect link with the security forces which hired the terrorists to carry out the car bombing," one source said. "Any implication that we were working with a security force that in turn hired the outside terrorist force is not true."

Another intelligence official stressed that, while there may have been "informational" links with the group that hired the bombers, the C.I.A. had not known of the assassination plan. More than 200 people were injured in the blast outside the home of the Shiite leader, Mohammed Hussein Fadlallah.

But Administration and Congressional sources continued today to confirm earlier reports that the C.I.A. had worked with the Lebanese group. They also said that the bombing had prompted the Administration to draw back from efforts to use Lebanese groups to strike against terrorists.

The White House and the State Department have declined to discuss the substance of the reports.

On Capitol Hill, Senator David F. Durenberger, chairman of the Senate Select Committee on Intelligence, said that an investigation of C.I.A. counterterrorism policy had long been scheduled for later this year.

Through a spokesman, he seemed to question the need for an immediate investigation. The vice chairman of the committee, Patrick J. Leahy of Vermont, has said that he has already begun a series of inquiries.

Senator Leahy has also said that he feels the committee has not been fully informed about sensitive operations.

But Senator Barry Goldwater, the Arizona Republican who was chairman of the committee until this year, said in an interview that he had been adequately informed.

[From the New York Times, May 14, 1985]

Antiterrorism by Proxy

U.S. Intelligence Agents Warned Officials Against Reliance on Foreign Organizations

By LESLIE H. GELB

Special to The New York Times

News Analysis

WASHINGTON, May 13 — A year ago, senior Administration officials agreed unanimously to set up counterterrorist groups to take pre-emptive and punitive action. At the same time, intelligence operatives said the groups were unlikely to work and were likely to get the United States into trouble.

There was no question about the seriousness of the problem of combating terrorism. And officials said the Administration was united on the need to do so by improving the collection of intelligence and warnings of planned terrorist actions. But there was doubt that any kind of covert action could be taken effectively, particularly in Lebanon.

The split between the policy-makers who felt the need to be tough on terrorism and the professionals charged with implementing the policy has plagued the Administration from the outset.

C.I.A. Link to Lebanese

On March 8, 80 people were killed in a Beirut car bombing that had been aimed at killing a Shiite leader suspected of being an anti-American terrorist. It was carried out by a group with ties to Lebanese intelligence, which, in turn, had worked with the Central Intelligence Agency, according to Congressional and Administration sources.

Today the C.I.A. issued a statement saying that it had not had advance knowledge of the bombing. In addition, intelligence sources said the agency had no connection to the Lebanese counterterrorism group that reportedly hired the bombers. But that was disputed by some Administration and Congressional officials who said the agency was working with the group at the time of the bombing. [Page A12.]

The C.I.A. statement did not seem to go to the core issue. For example, it said that the C.I.A. had not trained those who carried out the bombing. But the statement included no specific denial that the agency had been working with Lebanese intelligence. The White House declined comment altogether.

Administration officials said President Reagan had canceled his order directing C.I.A.-Lebanese intelligence cooperation in counterterrorism within a day or two after the March 8 bombing. But by then, the damage had been done and the risks run, causing Administration officials to once again evaluate what they realistically could and should do to combat terrorism.

An Administration official involved in intelligence said that, a year ago, there was agreement on the need to pre-empt terrorists, but that concern about the risk to innocent civilians had been voiced. He also said retaliation by terrorists was also feared.

"The best we can do to counter terrorism is to improve counterintelligence, not counterterrorist capabilities," he added. "That way, we can get our people out of harm's way."

Order Was Signed in April 1984

But this was not the thinking that prevailed on April 3, 1984, when officials said President Reagan signed a directive calling for pre-emptive, preventive and retaliatory action against terrorists and against countries sponsoring terrorism.

Officials said the policy was supported by Secretary of State George P. Shultz, Robert C. McFarlane, the national security adviser, and William J. Casey, Director of Central Intelligence.

After the signing of the directive, Mr. Shultz spoke publicly about the necessity of going beyond "purely defensive postures" in dealing with terrorists. Reporters were told by officials that this meant plans for pre-emptive and retaliatory action were under way.

As a result of these moves, officials said, American intelligence agents and military personnel began financing, training, sharing information and in other ways supporting groups in friendly countries to combat terrorists.

No Plans to Use Americans

The officials said there were no plans to use Americans in other countries, which meant relying on foreigners in the employ of other governments.

Many American intelligence operatives had doubts about their ability to control the foreign counterterrorists. They were concerned about the United States' taking responsibility for the program without being able to control it, especially in Lebanon, where the Government and the intelligence organization are divided.

In Lebanon, the officials said, American intelligence was hot on the heels of Mohammed Hussein Fadlallah, a Shiite leader who has been linked to attacks on American installations throughout the Middle East. Lebanese intelligence operatives were on his tracks, too, but for other reasons, the officials said.

Administration officials said that the C.I.A. had not decided what it wanted to do about Mr. Fadlallah, but that some Lebanese intelligence officials had their own scores to settle with him. The Lebanese could not move against him as a Government unit because Shiites were now part of the Lebanese Government, so according to the accounts offered by Administration officials, the Lebanese intelligence organization hired outsiders.

U.S. Not Ready to Abandon Policy

Even after the attempt to kill Mr. Fadlallah on March 8, the officials said, Administration leaders were not ready to abandon the policy. On March 25, Mr. McFarlane said in a speech, "We cannot and will not abstain from forcible action to prevent, pre-empt or respond to terrorist acts where conditions merit the use of force."

To renounce the use of force, he said, [illegible] to invite more, not less, more ruthless, not less terrorist brutality."

According to a number of Administration officials today, the United States is unlikely to alter this approach or to disband the counterterrorist training and support operations. But senior officials are said to be taking a look at specific cases of cooperation between the C.I.A. and foreign intelligence agencies to see whether the policy can be realistically implemented.

And Congressional committees charged with overseeing intelligence will be looking at both the problems of implementation and the policy itself.

Senator **Eagleton**. Mr. Ikle, I am on the Intelligence Committee, and Senator Biden served on that committee with great distinction for some years.

We meet this afternoon at 2:45 p.m. on this Beirut, this bombing business. Thus, I will become silenced. That is the price you pay for going on that committee.

Senator **Biden**. It is called "The PacMan Theory." [Laughter.]

Senator **Eagleton**. Once they give you a secret, you are silenced.

So, I want at least to explore a little bit of this before I am silenced. I want to explore it a little bit in the context of just what the administration's policy is on terrorism, because I cannot figure it out.

I have read extensively the statements of President Reagan, of Secretary Shultz, of Vice President Bush, of Mr. Larry Speakes, of Secretary Weinberger, and, unfortunately, that is five names I have cited and they do not agree with each other. They all march off in different directions.

Let me just give you a little flavor of the discord that exists amongst these rather significant players, including the President of the United States.

In his foreign policy debate with Mr. Mondale on October 21, 1984—was that the one in Kansas City—yes—President Reagan said this: "In dealing with terrorists, yes, we want to retaliate, but only if we can put our finger on the people responsible and not endanger the lives of innocent civilians."

OK.

Then, 4 days later, Shultz, who in this situation is the "heavy"—which is unusual—Shultz is the heavy and Weinberger is the "lightie." Shultz, 4 days later, after the President says that we have to be careful, we cannot injure innocent civilians, et cetera, we cannot endanger them, here comes Shultz, the toughie: "We must reach a consensus in this country that our response to terrorism should go beyond passive defense, to consider means of active prevention, preemption, and retaliation. The public must understand before the fact that there is a potential for loss of life of some of our fighting men and the loss of life of some innocent people."

Bear in mind that the President, on October 21, said we are not going to get innocent people, and the Secretary of State, on the 25th, that we are going to get them.

Then they bring Vice President Bush into the act who, 1 day later, October 26, in Cincinnati, says: "I don't agree with that. We are not going to go out and bomb innocent civilians or something of that nature. I don't think we'll ever go to the point where we'll kill 100 innocent women and children just to kill 1 terrorist." By the way, in the boo boo in Beirut, they killed 80 people and didn't even get the biggie. They wiped out 80, our proxies did, but didn't get the big man that they were after.

Anyway, Bush: "I don't think we'll kill hundreds of innocent women and children just to kill one terrorist. I don't think we've reached that point."

Well, then Reagan is asked that day, because everybody is in a muddle, President Reagan is asked well, what is it, Mr. President, and the President says, on October 26: "I don't think it was a statement of policy"—this is commenting on Shultz. "He was saying all of those things must be considered."

Whew—go figure that one out.

And then Speakes, because it now is a total mess, on the 26th is brought in and Speakes says: "Shultz' speech was Administration policy from top to bottom"—that is the rock-em, sock-em, kill-the-civilian speech.

Well, then in November and December we have this warfare between Shultz and Weinberger. You know, it was on the front page of every paper in the country, the shootout between Shultz and Weinberger about terrorism and the commitment of U.S. forces; Weinberger argues for extreme caution, and Shultz repeats his stuff about how we are going to have some loss of life, of innocent people.

So, can you help me? Can you help the country? Can you help this Joint Committee?

Can you tell us what administration policy is with respect to terrorism and endangering the lives of innocent people? Is it that we are going to do that, a la Shultz, or that we are not going to do that a la Bush, or what is it?

Mr. IKLE. Senator, you seem to be surprised at the idea that all things must be considered.

In this very complex area of policy, indeed, maybe not all things, but a great many things have to be considered. The risk that innocent people may get killed, the risk that an operation may fail, the risk that people who cooperate with us fail to cooperate properly, or the risk that we lose any cooperation with other governments because we leak information, either in the Congress or in the executive branch—all of these things have to be considered.

Senator EAGLETON. Will you pull your mike up, Mr. Ikle? I am hard of hearing.

Mr. IKLE. In other words, in designing counterterrorist and antiterrorist policy, you have to consider a great many factors and a great many complex tradeoffs, and in the quotations that you pulled together here, that was reflection that the senior officials were very conscious of these tradeoffs: the risks to innocent lives; the risk that an operation may be aborted because of leaks; the difficulty of finding the guilty party at the right time and the right place.

All of these things have to be factored in.

The senior officials were addressing different contingencies, or were addressing different elements in these complex tradeoffs.

I think it is gratifying that the responsible officials reflect so much thought and awareness of the complexity of the subject and of the need to weigh carefully these countervailing factors.

I realize that in Washington there is always a great deal of merriment and excitement if one can find differences between administration officials or if there are leaks which allege some operation that did go wrong.

In this particular area, which is such a sensitive area, this fact of life in Washington makes the operations very difficult, more likely to fail. But, as I see it, from my position, in serving the Secretary of Defense, we have a very good common approach with the Department of State, with the National Security Council.

We do, however, confront in each particular potential terrorist incident, or an actual incident that occurs, very agonizing choices. That is what is reflected in some of these seemingly contradictory remarks.

Senator EAGLETON. Well, before we get into leaks, let me just juxtapose two of these quotes and tell me which one is operative as Government policy today. There is the Shultz speech of October 25, wherein he said, "There is a potential for loss of life of some of our fighting men and loss of life of some innocent people." October 25. Or there is the Vice President George Bush pronouncement: "I don't agree with that. We are not going to go out and bomb innocent civilians or something of that nature. I don't think we'll ever get to the point where you will kill 100 innocent women and children just to kill one terrorist." October 26.

Now what is the operative administration policy today? Is it what Shultz said or what Vice President Bush said?

Mr. IKLE. My question would be, Senator what is the contradiction? Nobody can disagree with the fact that there is the potential for loss of innocent life in any military operation or any police operation, whether it is in Philadelphia or Beirut.

Senator EAGLETON. Bush specifically disagreed with the Shultz speech.

Mr. IKLE. Vice President Bush would obviously not disagree with something like that. That would not make any sense.

Senator EAGLETON. Well, then, you didn't hear me.

Vice President Bush specifically disagreed with the Shultz speech.

Mr. IKLE. What he disagreed with is that we would deliberately go after innocent lives, that we would make deliberate attacks.

Senator EAGLETON. Well, when we blow up cars and houses, is that negligently done or intentionally done?

Mr. IKLE. When we do what?

Senator EAGLETON. When a group of individuals blows up a car or blows up a house, is that an act of negligence or an act intentionally consummated?

Mr. IKLE. Well, that would depend on the situation, on what group.

Sentor EAGLETON. Take March 8, in Beirut. Was that an intersection whiplash, an act of negligence that triggered the death of 80 people, or was that an intentional act of bombing?

Mr. IKLE. I don't know, Senator, what that group intended to do.

Senator EAGLETON. Well, would you please read the Shultz speech, reread it, and reread Vice President Bush's statement where he says, "I don't agree with that." That's pretty clear English: "I don't agree with that."

I am just trying to find out what the policy is today. I don't know what it was back on October 25 and 26, because they were in disagreement.

But today, May 15, 1985, can you tell us what the policy of the administration today is with respect to the taking of innocent lives in antiterrorism endeavors done directly by us or indirectly by us through proxy agents?

Mr. IKLE. There is a risk in any police or counterterrorist operation that innocent people may be killed. We have to recognize that risk and we try to minimize it. You have a judgment call in each instance as to whether it is an operation in a city in the United States or whether it is something that we do together with allies somewhere, or in our bases overseas. You have to calculate these risks.

You try, obviously, to minimize the risk of taking innocent lives.

Senator EAGLETON. You minimize the risks of taking innocent lives but there are occasions wherein, as a policy matter, it will be necessary. Is that the administration's policy?

Mr. IKLE. It is a risk you cannot totally avoid if you have any police operation or any military operation in almost any part of the world, where the civilians intermingle with the combatants.

Senator EAGLETON. This is military or antiterrorist, by American agents or proxies hired for the job.

Mr. IKLE. Well, you are now making up a new question.

Senator EAGLETON. Do we minimize the risk of taking innocent lives, but there is a risk that we will take them in antiterrorist activities conducted by ourselves or through proxies?

Mr. IKLE. I am saying any police activity, whether conducted by municipal police forces in this country or abroad, or any antiterrorist action, the rescue of hijacked planes, and so on, entails the risk that somebody may get killed who is not a terrorist. We have had many tragic efforts to rescue hijacked planes, those types of terrorist acts.

Senator EAGLETON. We are not talking about hijacked planes. You know we are not talking about hijacked planes.

Mr. IKLE. I don't know what you are talking about.

Senator EAGLETON. We are talking about March 8, in Lebanon.

Mr. IKLE. What about March 8?

Senator EAGLETON. Eighty people were killed, 200 were injured, and they didn't even get the guy they were after. Innocent lives were taken. Could that have been part of American policy?

Mr. IKLE. I cannot explain the March 8 event you referred to. I have no connection with that, no knowledge about it.

Senator EAGLETON. I am not saying you had any connection. You are a spokesman on terrorism for this administration. That, in part, is what this heaing is about. You are up here to tell us what administration policy is.

Mr. IKLE. But I cannot give you an administration policy about an unconnected event. I can give you the policy about the events that we are responsible for.

Senator EAGLETON. Would it never be administration policy, through the use of proxies, to take innocent lives in an antiterrorist endeavor? Would it never be administration policy to so do?

Mr. IKLE. I explained before that you could not have a rescue of a hijacked plane——

Senator EAGLETON. Not a hijacked plane.

Mr. IKLE. But that is terrorism.

Senator EAGLETON. Where we are trying to rub out a guy, and we want to rub out a Mr. Big. Is it never administration policy to risk the taking of innocent lives when we are using proxy agents to rub out an obnoxious terrorist that we want to get?

Mr. IKLE. Well, first of all, it is not administration policy to rub out people.

Senator EAGLETON. Ever?

Mr. IKLE. Depending on what you mean——

Senator EAGLETON. Never in the context of antiterrorism.

Mr. IKLE. Well, you get into a battle, you get attacked by terrorists——

Senator EAGLETON. No, no—in the context of antiterrorism. There are a lot of terrorists around in the world. Some of them are in Lebanon. Some are in Libya. Is it never administration policy to risk the taking of innocent lives when we are using proxies to pursue a malicious terrorist that we want to get rid of?

Mr. IKLE. We are guided in our policy by the legal, the executive order requirements, that you well know, and if not, you will be further briefed on those in the Intelligence Committee.

Senator EAGLETON. I know them.

Mr. IKLE. These are the ground rules under which we operate, like any administration.

Senator BIDEN. Will the Senator yield for a clarification?

Senator EAGLETON. Yes, I would love to.

Senator BIDEN. Well, I am not sure that it will clarify anything, but just so I understand it.

Mr. Ikle, to ask the question in a slightly different way, there are circumstances under which, through a counterterrorist activity, directed at a terrorist who, in fact, has done harm to U.S. personnel, interests, et cetera, where innocent people might be killed—the obvious situation involves the hijacker: when you go in to rescue the people, maybe innocent people will be killed, you know that.

But there is a second kind, which I think is a Beirut situation. If, in fact, the United States had condoned that—and the administration says it did not, and I am prepared to believe that—but assume that it had. Everyone in the world knows that if you put a car bomb in a city street, it is guaranteed that there will be innocent people hurt. That is a guarantee. That is not like the airplane, where you may be able to surgically remove the terrorist and save innocent people, though knowing full well you may not. That is like the Philadelphia incident. They did not set off the bomb intentionally. It was a mistake. They miscalculated. It burned in a way that they did not intend.

But when you set off a bomb, like in Beirut, you are guaranteed to kill innocent people, or if not kill, then injure.

Now, my question is this. Is the administration policy such that it would never, through proxies or directly, take an action which they knew ahead of time was going to injure civilians—not maybe, but was going to injure civilians—and possibly kill them? Is that administration policy?

Mr. IKLE. Senator, I find this a very good way of formulating the question, a very constructive way.

In answering your question, I am reminded of a prior question asked by Senator Leahy. Assume that terrorists have gotten hold of a nuclear weapon and the catastrophic consequences they could create with that. I am now envisaging what maybe a future administration, though hopefully no administration may ever find itself in such a situt, may face.

At that point, if they wanted to stop the use of that nuclear weapon against a European or U.S. city, or any city anywhere in the world, should or shouldn't they take out the people with that weapon, even if it entails the risk, or even the certainty, that innocent civilians would be killed? I would not want to give a flat answer on that this morning. I think that would be irresponsible.

Senator **Denton**. If I may, the time has already run out on this, but I believe that the line of questioning is important and it has to be explored.

May I say to Senator Eagleton, as his friend and a man who respects him very much, we have had much discussion, even debate, on many matters in the social field. I have always found you intellectually honest, and usually superior to me in the field in which we were working in Labor and Human Resources. You and your staff have worked with good will. The same for Senator Biden in intelligence and drugs.

I believe that the root of the problem here is something, more in my field. I spent 34 years involved with what I hoped would be deterrence of war. If that failed we had to be prepared for the taking of life, the destruction of property, and so on. I believe there is a thread of commonality between the answer to the questions that you are asking regarding retaliation or reprisal against terrorism, and the kind of actions that have to be taken in full-scale war, and terrorism is low-level warfare, which now is raising cain with U.S. interests all over the world.

I believe that both of you gentlemen, like me, wish to solve the policy question in a bipartisan way. I offer these remarks in that vein of mutual respect.

We once dropped two atomic bombs on the country of Japan, and we knew we would bear the resultant loss of life on our consciences. But we had to stop the Japanese conqueror. Innocent life had to be taken to stop Hitler. It comes down to the rules of land warfare. If you are, in your own conscience and by the observations of mankind, going after a target which is of sufficient importance to you in the military sense, it is taken for granted and approved that those attacks can take place if your principal target is military, and those civilians which are killed as a consequence are not considered a crime.

Now, I am not the one to judge whether the atomic bombs dropped on Japan were correct or not in the moral sense. But I think you will both agree, whatever we decide to do we must ask ourselves this question: Will the moral consequences of the act we are contemplating be preferable to the alternative which will result if we do not act.

Senator **Biden**. If the Senator would yield on that point, the rules of war are fairly clear. We are entering into a totally new area where we here are deciding whether or not to elevate counterterrorist activities to the level of warfare or whether or not we are going to treat them like police actions.

In this country, we have never concluded that the FBI or local police agencies had the right to knowingly, knowing that their actions beforehand were going to take out innocent lives, use the rationale that the means justified the ends.

Now the reason why I am not making final judgment here is, because as I said at the outset to Mr. Ikle and Mr. Koch, we are in a brand new area. What Senator Eagleton and I are trying to find out is have we already made the judgment that counter-terrorist activities have been elevated to a state of war which encompasses all of the things that the Senator from Alabama has just said, or in fact are they going to continue to be treated in the way they have heretofore, as a police action, which, in fact, has fallen under a different set of rules?

We are in a netherland right now, and our confusion, although we may end up in a very different place than you, Admiral on this issue—and I cannot speak for Senator Eagleton, only myself—I wonder whether or not we are not at such a delicate point in our development as a Nation on the terms by which we will deal with threats to our security that we not only run the risk to our security if we make the wrong decision, but we also run the risk of corrupting our soul as a Nation, corrupting this Nation's soul in terms of what we stand for.

It is a very difficult decision. I am not making absolute statements as to whether or not you are right or wrong.

I am suggesting to you, though, just as we weigh on the one side, Senator, the risk to our security, we must weigh on the other side our standing as a civilized Nation, because we are about to enter into a new era which seriously and genuinely could affect our long-term interest and I, in fact, believe corrupt our soul as a Nation.

Senator DENTON. Senator Biden——

Senator BIDEN. Let me conclude with one last statement.

Senator DENTON. I wasn't saying that terrorism is exactly like war. I am saying that there is a fundamental question that may be common to both.

I said this in my opening statement——

Senator BIDEN. I understand that.

Senator DENTON [continuing]. On the first day.

Listen, Joe, I said we talk of preemptive strike, retaliation, reprisals. There are risks involved in any of these. If we should act militarily, there is a strong possibility that civilians will be hurt or killed. Further, we may lose men or equipment or take the chance of our personnel becoming hostages. There are many questions of international law.

I was saying this to go along with you all that we have not yet thought out, in a way that is satisfactory to Congress or our people, or perhaps even within the administration, this question of how to deal with terrorism.

Senator BIDEN. Believe it or not, I am not being critical.

All I am trying to do is explain why I was pursuing the line of questioning that I was.

Senator EAGLETON. May I say a word, Mr. Chairman.

It was my line of questioning.

Senator BIDEN. You can have it back. You got it. It's all yours. [Laughter.]

Senator EAGLETON. With all due respect, all I am trying to do is find out what the administration policy is.

There are many good comments that you made, Mr. Chairman. We may be in war. And maybe we ought to declare it and go full-force at it. There are many good points that Senator Biden raises in terms of the national character and the national psyche, if we get into this Shultz-type retaliation business, which Secretary Shultz forcefully advocated in the October 25 speech.

All I want from Mr. Ikle, or somebody, is what is our current policy. Is it "Shultzism" or is it "Bushism," and we don't know.

Senator DENTON. I asked that question before you, sir.

I agree with you. That is the question—I asked it, too.

Sentor EAGLETON. May I finally read a short summary into the record?

This is Executive Order 12333, signed by Presidents Ford, Carter, and Reagan. It prohibits U.S. Government employees or their agents from participating or requesting that other persons participate in an assassination attempt.

It is signed by President Reagan. I take it, in part, that that is Reagan policy.

But I don't know how that squares with Shultz' speech of October 25, and I sure know the English language when George Bush said on the 26th, "I don't agree with that."

Senator DENTON. Time is running out. With all due respect—please don't go, Tom. I am in agreement with you.

Let's say that we three agree that we have not yet developed satisfactory policy to deal with this new force and trend in international and national affairs. That is the purpose of these hearings.

I ask that we, as legislators, approach this problem with bipartisanship.

Senator EAGLETON. Of course. I think it cries out for it.

Senator DENTON. Right.

Senator EAGLETON. But first we have to know what their policy is, and then we can comment on it.

Senator DENTON. In all candor, I believe that they are proceeding on more or less an ad hoc basis. Certainly the linkup between terrorism and narcotics is recent. The harm to U.S. interests from terrorism has been relatively fast. I believe they are doing their best, but they are groping along. They have not yet fully developed the interest, the objectives, the policies, and the commitments.

I believe that. I don't say that critically. I believe that whoever was in government would be in the same position.

Mr. IKLE. Mr. Chairman, I think in a way what this discussion illustrates is precisely that terrorism tries to target the institutions in the functioning of a democracy, tries to exploit that democracies have respect for human lives, particularly innocent human life, tries to exploit that democracies have to be governed by legitimate and legal procedures, and goes after these existing normal strengths of democracy and tries to turn them into weaknesses.

Other countries had to grapple with this, European countries when they had to counter a wave of terrorism, and most of the older and stronger democracies always came out of these trials ahead. They have surmounted it. But we have to work on it very diligently and be very conscious that terrorists are precisely trying to target these inhibitions of democracies and trying to turn them into weaknesses, either by provoking excessive reactions, which will turn a population against the government, or by paralyzing the government from reacting at all.

Senator DENTON. That is an extremely important point, I think.

Senator EAGLETON. I just humbly offer it for your consideration, that there is a written blueprint by which these purveyors of terrorism got together, years ago, and decided that one way to bring a government down is to start terroristic actions within a city—it comes out of the "Urban Guerrilla Handbook"—because that government has become, in their view, repressive, looking at the situation. Then the media of the world hold them up for criticism, and, slowly but surely, chaos accelerates, the government falls, and the irreversible part is when they become Communist. We can always lean on a rightwinger and make him go the way we did the Shah of Iran, and then we failed in the clutch to kind of support the guy and don't even give him a place to die. The people in Central America are starting to look at us and wonder whether they should make a deal with the Communists so they won't be the first ones to be killed when we cop out in the clutch in our confusion and partisanship.

That is really where we are in the world right now.

I would rather not be here than not contribute constructively to that situation, and I believe you feel the same.

But it is a desperate situation, even more desperate than the ones we tried to deal with in Labor and Human Resources. I know that you are men of goodwill.

So all I am asking is maybe we can talk about it some on the side, Tom, as well as whatever we do here.

Senator EAGLETON. It is very important.

Mr. Chairman, I ask unanimous consent that three or four written questions be submitted to Mr. Ikle for his response, say, within 10 days, and that they be included within the record.[1]

Senator DENTON. Without objection, it is so ordered.

Senator EAGLETON. Thank you, Mr. Chairman.

Thank you, Mr. Ikle.

Senator DENTON. I do have one question, Mr. Ikle.

We are being beset by well-meant media reviews of this, well-meant congressional reviews of the drug threat and a preponderant view that the Department of Defense should be more massively involved.

I want to say that I sympathize with you on that question. I was a Senator who proposed a posse comitatus by which the Navy got involved. But I also realize that we are stretched extremely thin in terms of threats against our security.

For example, three SAC/EUR's whom I knew personally—Goodpastor, Haig, and now Rogers—are saying that unless certain things happen, which are not happening, the Soviets could walk by conventional means to the channel in so many weeks.

We are stretched thin there, we are stretched thin in the Caribbean, we do not even have a good answer militarily in the Mideast for a number of contingencies.

I want you to know that I personally, as chairman of the subcommittee, and as having oversight over DEA, am not in favor at this point of massive disruptions to the military in order to try to handle that threat.

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[1] See page 412.

Would you agree with that general approach?

Mr. **Ikle**. Yes.

In fact, as I said in answer to Senator Biden's question, we are reworking approaches where we, both with security assistance together with the Department of State and through military actions and intelligence collection and possible other operations can assist the antinarcotics fight.

We are very conscious that an actual security threat is developing from the growing expansion of large-scale narcotics operations, particularly in this hemisphere. So we do not take it likely at all in both the civilian and the unified sides of the Pentagon. We are very serious about it.

Senator **Denton**. I would suggest that you determine the best ways that you can work with DEA, Customs, et cetera, on that problem, rather than have us impose some politically motivated gesture, which might be inefficient, or even counterproductive.

So if you will manifest to us in some kind of report the things that you are doing or propose to do to help with the drug enforcement problem, it will, I think, allay other contingencies which would be disastrous.

Thank you very much, gentlemen, for your testimony.

I will ask you to remain for possible future questions this morning. Would you consent to that?

We will have Ambassador Oakley next, the Director of the Office of Counter-Terrorism and Emergency Planning from the State Department.

We have heard the different positions, and we are going to have to ask him to explain U.S. policy.

Senator **Trible**. Mr. Chairman, let me say that I always regarded the Foreign Relations Committee as the premier debating society; but after the display today by my colleagues on the Judiciary Committee, I think perhaps we should yield that lauded designation.

I found the discussion about the rules of engagement in fighting terrorism instructive, and I think it does underscore the importance of defining our policy and the choices before us.

I must say, however, to these administration witnesses before they depart that in my judgment, at least, if we are going to combat effectively the terrorist threat that is very real and pervasive and growing, it is going to be necessary for the United States to translate its rhetoric at some point into action. By this I mean preemptive strikes, forceful and timely response. And, unless we do that, the problems will be far greater in the days ahead.

I am mindful of the experience of our Israeli friends. There is no nation in the world that prides itself more on honoring human rights and the dignity of life. And yet, the Israelis, who are confronted by the threat, perhaps more directly than we are, understand the importance of the use of force—reasonably, responsibly, but directly and in timely fashion—to deal with these kinds of threats.

Perhaps we could benefit more from their example than from some of the debates we have heard in the halls of Congress.

With that, I, too, for all of my colleagues on the Foreign Relations Committee who are not here, welcome Ambassador Oakley.

We look forward to hearing your abbreviated testimony.

Your full statement, which is quite long, quite comprehensive, and quite instructive, will be made a part of the record.

STATEMENT OF HON. ROBERT B. OAKLEY, DIRECTOR, OFFICE FOR COUNTER-TERRORISM AND EMERGENCY PLANNING, DEPARTMENT OF STATE, ACCOMPANIED BY AMBASSADOR PARKER BORG, DEPUTY DIRECTOR OF THE OFFICE FOR COMBATING TERRORISM

Ambassador **Oakley**. Thank you, Mr. Chairman.

I will cut back this statement still farther because I think it is important to answer the questions you have on your minds.

Senator **Denton**. Would you bring the microphone a little closer, Ambassador Oakley.

Ambassador **Oakley**. Yes.

I said that I will cut back even move on my summary statement because I think it is terribly important to continue with the questioning.

I think that the exchange we have just gone through is very important. It fits very nicely, I believe, with what the Secretary of State said in the speech which has been quoted on several occasions. He is trying to develop a national consensus. I associate myself fully with the remarks made by Secretary Ikle.

The fact is that difficult choices sometimes have to be made.

I am confident that Senator Eagleton and Senator Biden, in their hearing this afternoon in the Intelligence Committee, will find that the spokesman for the CIA is absolutely correct in saying that everything that has been done is consistent with the law, including the Executive order which was cited.

Now, it is a very complicated business, as has been pointed out. The business of using force is one part of an answer to the problem. We have tried to explain in my statement that there are a wide range not of options, but of actions. The United States and each particular country in each particular circumstance uses as many of those as it thinks can best be used to fit the situation and to be effective.

I think that your hearings have already shown that international terrorism will not easily be defeated or disappear. There are too many governments and terrorist groups who view it as a cheap way of hitting at their enemies. Some of them, many of them, too many of them, see the United States as their principal target, both because of what our Government and country stand for and because of our large presence in so many countries abroad.

The main threat to Americans in the foreseeable future will continue to come overseas. This makes it more difficult to deal effectively with the problem of terrorism, because we must take into account foreign governments.

Our experience to date indicates there is little likelihood of eradicating terrorism. So our alternatives are, basically, to protect against the threat to the best of our ability, to continue to pursue our policies and interests without being scared off, or to pull back drastically from active pursuit of our worldwide interests.

This administration has firmly opted for the former, realizing there will doubtless be additional serious terrorist incidents, but confident that the efforts presently underway will succeed in reducing the problem to manageable proportions, so far as we are concerned, given the overriding importance of continuing our world role.

The U.S. Government is organized to meet this threat. We have clear policy guidelines. The support of Congress has been essential, together with the leadership of the President of the United States, the Secretary of State, and others in providing the means and the will to combat terrorism.

However, as Senator Denton said in the beginning, we must not only understand—we must persevere. It is essential that the high level of commitment and concern by both branches of government not fall off as time passes since the last major incident.

In this connection, I would note that a letter has been sent to the chairman of the Foreign Relations Committee and other concerned committees the day before yesterday on reprogramming a large sum of money to take into account that the supplemental has not yet gone through. We may have the same problem in 1986, because we have to have the level of funds that are required to keep up the level of security we need.

So, it requires a continuing, long-term commitment.

The State Department has been assigned by the President the lead interagency role in combating terrorism outside the United States. The Interdepartmental Group on Terrorism, chaired by my office at the State Department, provides the formal forum for the major departments and agencies involved in combating terrorism to develop recommendations and programs. More importantly, a close, informal, working relationship for coordination has evolved through meetings and working groups of the Interdepartmental Group on Terrorism, and numerous informal ties and contacts, really on a daily basis, which also serve well during crises.

We recently made the Drug Enforcement Agency a full member of the Interdepartmental Group on Terrorism in order to improve coordination and cooperation in that field.

In our judgment, the most effective deterrents are proper physical security, a high degree of awareness, good intelligence, and close cooperation with other governments.

There are also more active measures, covert and overt, which are possible as options, and the bulk of the discussion so far has been focused on that area.

In dealing with that, a super power must carefully weigh the potential benefits and costs of any actions it takes abroad, particularly of this nature.

Each action must be carefully considered on its merits and what may appear publicly as a failure to act or react should not be considered a sign of weakness, particularly since the most successful counterterrorist actions are the least publicized ones.

This gets back to a point that Mr. Ikle made and that I think Senator Denton has emphasized—the need for secrecy. You cannot deal with terrorism if you are dealing out in the open. The terrorists thrive on secrecy. They want to know what is being planned against them so they can avoid the measures which are being planned.

Good intelligence has enabled us to avoid a number of terrorist attacks. We are confident of that.

If this intelligence had become public, the terrorists would have attacked some other time, some other place, and their chances for success would have been much higher.

In summary, Mr. Chairman, I would like to say that I believe the U.S. Government has a sound policy, effective organization, and coordination to deal with international terrorism, and the ability and will to act.

We must recognize that we are dealing with a threat primarily overseas.

Senator DENTON. Would you repeat your last sentence, please, the part before the overseas threat. You believe what?

Ambassador OAKLEY. I believe we have a sound policy and effective organization to deal with international terrorism and the ability and will to take the necessary action.

We must recognize, however, that in dealing with the threat, which is primarily overseas, we must work with sovereign governments which have the jurisdiction over their countries.

We must, therefore, recognize that they have the major role in dealing with the threat. We must work very closely with them. We must be able to provide them assistance. We must be able to provide them with training. We must be able to provide them with intelligence—if we are going to get them to shoulder the basic responsibility which they have for dealing with the problem in their country.

Given the nature of the problem, we will not always succeed. Therefore, there will be incidents which hit the United States, our citizens abroad, possibly at home. There will invariably be more awareness of our failures than of our successes. I can assure you, however, that the effort to counter terrorism is the highest priority from this administration, and we have been able, I believe, to improve our ability to deal with it.

Thank you, Mr. Chairman.

[Ambassador Oakley's prepared statement follows:]

PREPARED STATEMENT OF AMBASSADOR ROBERT B. OAKLEY

INTERNATIONAL TERRORISM

We are very pleased that the Committees on Foreign Relations and the Judiciary have found the time to hold joint hearings on the important subject of international terrorism. In order to be responsive to all the concerns raised in your letter of invitation and provide as complete a picture as possible this presentation is divided into four general topics, stated as the following questions:

1. What are the current trends in terrorism?
2. How is the USG organized to deal with the threat?
3. What unilateral actions can we realistically consider?
4. What have we been doing to increase international cooperation in this fight?

Trends: Rather than recite statistics in great detail, I believe it would be more useful to review the trends as we see them developing over the next few years.

--First, terrorism is likely to be a prominent factor on the international political landscape for the rest of this century. Despite the intensified efforts we and other governments are undertaking, I believe it is essential to recognize that terrorism will not easily disappear. It will increasingly be a part of our daily lives for many reasons: a worldwide system of competitive arms sales makes weapons available more easily to terrorist groups, mass communications assure instantaneous publicity for terrorist acts, travel is becoming easier between different countries and border controls are diminishing, particularly in Europe. In addition, we should recognize that weapons of mass destruction as well as increasingly lethal conventional armaments have made regular warfare potentially too costly; and terrorism is therefore viewed by several countries as a cheap way to strike a blow at their enemies.

--Second, the problem for the US is likely to continue to be external to the US, not internal; and the threat against US interests abroad is likely to increase proportionately to the increase of total incidents. Incidents within the US, especially externally-inspired terrorism, have been decreasing, together representing less than 1 % of the world total, because of the effective work of the FBI, generally tighter control at US points of entry and aversion by the American people to foreign inspired violence. The potential threat inside the US is real, but our current efforts appear likely to keep it to a minimum. At the same time US citizens and US interests have been consistently the target of 30 - 35 % of worldwide terrorist attacks, although the percentage appears to have dropped in 1984 when there was a record number of incidents. Most other countries with a terrorist problem must deal largely with an internal threat--the PIRA in the United Kingdom, M-19 in Colombia or the Red Army Faction in the Federal Republic of Germany. Only a limited number of other countries--France, Turkey, Israel and Jordan--must consider serious internal and external threats.

--Third, terrorist attacks are likely to be increasingly violent. The number of casualties and fatalities has generally grown with the number of incidents. During both 1983 and 1984, the fatalities equalled approximately one third the number of casualties. If one looks at the tactical trends over the past ten years--seizing of Embassies and suicidal car bombs--actions which were previously unknown, we must recognize that there are likely to be further grotesque developments in the future.

--Fourth, a broader spectrum of citizens will be the victims of terrorist attacks. Prominent public figures will remain the focus, but there may be more victims from non-official circles. Comparing the victims of terrorist attacks in 1984 with those in 1983, one can see that diplomats and military personnel are a declining share of the total, while businessmen, journalists and even clergymen are increasingly the targets of attacks.

--Fifth, there are a wide range of groups with separate interests involved in terrorist activities. Today we are dealing with groups such as the Red Army Faction in Germany, the radical Shiites in the Middle East, Shining Path in Peru and the Armenian Secret Army for the Liberation of Armenia. Some groups such as the Shia have arrived on the scene recently, while others such as the Palestinians, ASALA and some of the leftists, separatists and anarchists in Europe have been around for a considerable period of time. Looking back to the scene in the United States fifteen years ago, we talked about violence by the Black Panthers, the Weather Underground and the Symbionese Liberation Army. Just as these groups have disappeared from the terrorist scene, and in fact the nature of the threat in the US has changed, we must recognize that the groups and nations involved today in international terrorism could change in the coming years as a result of effective actions against them, new social conditions, changes in leadership, etc. We must remain vigilant and take strong steps, but must also be careful to avoid overreacting and creating new generations of terrorists in response to perceptions of our actions.

--Sixth, open societies will remain the principal targets of terrorists, but no societies are immune. Open, and particularly democratic societies, are vulnerable to terrorism on the one hand because the terrorists might succeed more easily in bringing the democratic state to its knees, or on the other because overreactions by the democratic state to the threat could destroy the open nature of the society. We should recognize, however, that the means which are increasingly available to the opponents of democratic states are also available to the opponents of dictatorships. An example of this threat has emerged recently in Bulgaria where there were several attacks during recent months, probably committed by the minority Turkish population. During 1984 the Soviet Union ranked number 7 on the terrorist victim list. We must work to ensure that all states, regardless of their political systems, are aware that terrorism is a threat to all forms of organized society.

--Seventh, responses from governments to terrorist attacks will tend to ebb and flow with events. Shortly after the Beirut bombing of our Embassy, there was a great outcry for action in the US which fostered the passage of the 1984 Act to Combat International Terrorism and other important provisions aimed at combatting terrorism. In London, following the shooting of the British policewoman from a window in the Libyan Embassy, there was a cry of outrage against Libyan terrorism. Similarly, in Europe after the discovery of collaboration among leftist terrorist groups and assassinations of prominent figures in France and Germany, there was a rash of cooperative measures among the European states. A few months later when we have tried to talk with the British about stronger joint actions against the Libyans or with the Europeans about strengthening cooperation, the normal bureaucratic reasons for inaction have again dominated the dialogues.

The Current International Terrorist Scene. Let's look in more detail at the international terrorist scene. The Middle East has become the primary source of international terrorism, accounting for about 35 % of the incidents. But international travel has permitted the export of Middle Eastern terrorism elsewhere. There are two main categories of Middle Eastern terrorists:

-- first, fanatical Palestinians who have split off from the mainline PLO led by Arafat and often have direct support of Libya and Syria; and

- second, Shia zealots residing in many Arab countries, expecially Lebanon, who are inspired, trained and often armed, financed and to varying degrees guided by Iran.

The targets of Middle East terrorism fall principally into four groups: Israel; Western governments and citizens, particularly France and the United States; moderate Arab governments and officials, including the mainline PLO as well as Jordan, Egypt, Kuwait, and Saudi Arabia; and critics of radical regimes, particularly Libyans, who are targetted by their own governments.

While the Middle East might be the source of most terrorism, Europe is the location of the largest number of incidents, ranging from 36 % to 53 % of the total during each of the past five years. Nearly 25 % of these incidents however, are of Middle Eastern origin. Indigenous European terrorists consist of:

- Elements of ethnic groups such as Corsicans, Basques, Croatians and Armenians which have been fighting for autonomy or to redress reputed grievances; in particular the Armenian groups which have waged a deadly and relentless campaign both here in the U.S. and in Europe against Turkish interests in an effort to establish an Armenian state.

-- Leftist groups such as the Red Brigades in Italy, Direct Action in France, Red Army Faction in Germany, the CCC in Belgium, Grapo in Spain and November 17 in Greece.

-- Special note should be made of the Provisional Irish Republican Army, the PIRA, which is both ethnic and leftist. It is the most deadly of all European groups, having killed some 50 people in 1984. This group should be distinguished from the IRA of earlier days.

For many years these groups pursued their separate targets independent of each other, but a new phenomenon developed during late 1984 among some of the European leftist groups. Aside from an apparent increase in mutual logistical and propaganda support, groups in Germany, Belgium and France all attacked NATO-related targets over a period of several months. This resurgence accounted for most of the increase in the total number of incidents in Europe during the past year. There was a lull at the end of the hunger strike by jailed terrorists in Germany, followed by a rash of incidents preceding the annual Summit meeting in Bonn. Experts expect that we will see similar outbreaks during future months.

Latin America is the third great center of terrorist incidents, accounting for approximately 20% of the events worldwide. Social, economic and political turmoil have served to prolong existing patterns of insurgency which have assumed terrorist dimensions in some countries, particularly Colombia, El Salvador, Guatemala, and Peru. While there is little spillover into Latin America from terrorism in the Middle East and Europe, Cuba and Nicaragua have continued to encourage and support terrorist activities in other countries with insurgency situations. In addition, Italian and possibly other leftist terrorists have found refuge in Nicaragua.

A new threat, narco-terrorism, has grown in Latin America during the past year. It is potentially dangerous because it combines drug criminals with political terrorists and guerrillas. In response to intense US pressure against drug bosses, traffickers have struck against US officials, US businessmen, and cooperating officials of their own countries. This problem has been most serious in Colombia.

A separate word should be added about state sponsorship of terrorist activities. Certain countries--most importantly Iran, Syria, Libya and Cuba--are increasingly important factors in global terrorism. Iran has become the major culprit, aiming to further its goals of establishing fundamentalist Shiite regimes, patterned after its own, elsewhere in the Muslim World and reducing at the same time US influence. In 1983 there were about 50 attacks which could be tied to Iran; in 1984 about 60 attacks. France and the US are the main Iranian targets. Evidence of increasing Iranian terrorism includes active recruiting and training of Muslims from the Persian Gulf, Africa and Asia and the apprehension of operatives recently in Spain, France, and Italy.

The Libyans appear to have been involved in about 25 incidents last year, up from previous years. Most Libyan terrorism is directed at Libyan residents in other countries who are opponents of President Qadhafi. Other incidents include the mining of the Red Sea and plots against President Mubarak of Egypt and the leaders of Jordan, Sudan and Tunisia.

Several terrorist attacks against Jordanian targets in Jordan and Europe during the past year are undoubtedly the responses of the Syrian Government to the diplomatic moves of King Hussein, particularly in relation to the PLO. Damascus seems to use surrogate radical Palestinian groups to carry out these attacks.

What is the U.S. policy? This background makes it clear that a tremendous effort is required merely to hold one's own, much less put an end to international terrorism, and that this effort must be international, not merely one by our government. No matter what our commitment and capability may be, we cannot succeed alone when the threat originates abroad and strikes abroad where other governments necessarily have the major responsibility.

U.S. policy is direct. We will make no concessions to terrorists. We pay no ransoms nor permit releases of prisoners nor agree to other acts which might encourage additional terrorism. We make no changes in U.S. policy because of terrorists' threats or acts. If U.S. personnel are taken hostage or endangered, we are prepared to consider a broad range of actions appropriate to the threat. We encourage other governments to take similar strong stands against terrorism. Finally, we are determined to act in a strong manner against terrorists without surrendering our basic freedoms or endangering our democratic principles.

Organization of the US Government to Counter Terrorism. In our country, the leadership of President Reagan and Secretary of State Shultz with the strong support of Congress are providing both the means and the political will to combat terrorism. This leadership and congressional support needs to be continued, with no dimunition of will, priority or resources by either the Executive or Legislative Branches. Even with such a sustained USG commitment, unless and until other governments are willing and able to make the same commitment, the unfavorable trend experienced last year cannot be reversed. Without this international cooperative effort, the terrorists and those behind them will continue to be successful, which will encourage others to utilize terrorism to achieve their own political and ideological goals.

In NSDD 30 the President designated the Department of State with the lead interagency role in combatting terrorism outside the United States. The Interdepartmental Group on Terrorism (IG/T), chaired by State, provides the forum for the major departments and agencies involved in combatting terrorism to meet regularly and share ideas, draw conclusions and make recommendations on policy and programs. The permanent members include the Vice President's Office, the NSC, Justice (which has interagency responsibility for domestic terrorism), the FBI, DEA, Treasury, Defense and the JCS, Energy, the CIA and the FAA. Other agencies are invited when there is an agenda item of direct interest to them. The IG/T provides a single point where the various departments and agencies can address questions and make proposals. The conclusions and recommendations of the IG/T which cannot be implemented at the level of the IG/T participants are forwarded to the NSC for further action.

There are four officially established working groups of the IG/T: Technical Support (and R & D), Exercises, Training Assistance and Public Diplomacy. The Technical Support Group, co-chaired by the Departments of Defense and Energy and including representatives of all agencies doing R & D work in counter-terrorism, provides a forum for the exchange of information and the establishment of priorities through specialized subgroups. The Exercise Committee focuses on crisis management exercises which involve interagency coordination as well as cooperation with other governments. The Training Assistance Group has members from State, DOD, CIA and DEA as appropriate. Its role is to ensure that there is no duplication of effort in USG training programs in participating countries. The Public Diplomacy Group with representatives from State, USIS, the

FBI and DOD is a new effort to coordinate, systematize and improve ongoing efforts by several agencies to increase public understanding of the threat of terrorism and the importance of intensive efforts to resist the threat.

We have strong leadership at the State Department in the struggle to oppose terrorism and improve security preparedness abroad. The Secretary of State has this subject very much on his mind and makes it clear in his daily meetings on security that it must also be on the minds of everyone else at State. He does the same for our ambassadors and diplomatic personnel abroad. He is leading a government-wide effort to promote international awareness and cooperation to address the common threat and convince other governments to work closely with us to counter, deter and eventually end terrorism.

Under Secretary for Management Ron Spiers oversees and coordinates all this activity for the Secretary of State. Organizationally, the chain of command is clear. Reporting to the Under Secretary are the Office of Security--which is primarily responsible for the physical security for our people and facilities overseas, and the Office for Counter-terrorism and Emergency Planning--which is primarily responsible for designing measures to fight terrorism and promoting cooperation with other countries against terrorism.

The Office for Counter-terrorism and Emergency Planning, known in the bureaucracy as M/CTP, deals with the problems of international terrorism from two levels: first, in its coordinating role within the Department of State, and second in its similar role as head of the Interdepartmental Group on Terrorism. The responsibilities of M/CTP as spelled out to the Inman Commission in October 1984 include:

-- 1) To develop and recommend policies to deal with terrorism and to represent the Department of State in interdepartmental considerations on this subject.

-- 2) To conduct liaison with other governments on international terrorism policy.

-- 3) To receive and review all intelligence materials from the intelligence agencies pertaining to terrorist threats and to take action as appropriate.

-- 4) To work with the Director of INR to ensure improved collection, coordination of assessments and full utilization of intelligence community resources.

-- 5) To ensure that terrorism alerts are provided on a timely basis to overseas posts, to approve all such alerts, and to monitor embassy responses to such alerts.

-- 6) To work with the Assistant Secretary for Administration and the Deputy for Security in setting physical security policies and practices relevant to terrorist threats, including coordination with other government agencies.

-- 7) To ensure the adequacy of embassy Emergency Action Plans.

Coordination Within the US Government. The IG/T and its working groups provide a formal framework for coordination within the US Government. There are other actions we have taken recently to augment coordination in other areas. We have promoted closer collaboration between US military and civilian authorities overseas. We have opened channels of communication about threats or incidents between embassies and military posts overseas and initiated steps to increase coordination of the emergency planning functions between the embassies and the US military command units with local responsibility.

Most importantly, we have also improved intelligence coordination on terrorist subjects. Within the US, several members of the intelligence community have established 24-hour watches on international terrorism. State's watch center includes the latest communications equipment for sharing information with the other watch centers. We are computerizing the information on terrorists for easier access. We have created a special caption on State Department telegraphic messages to speed up distribution of all traffic to all interested offices in the USG. Finally, we have established a coordinated inter-agency system for the preparation and transmission of threat alerts to posts overseas.

A sound structure exists within the State Department and through its role as head of the IG/T to ensure effective coordination of our activities to combat terrorism outside the United States. The IG/T offers not only a formal mechanism for coordination through its periodic meetings and the activities of its working groups, but also the important informal ties which permit easy communications at the time of a crisis. The IG/T, however, is a policy body, not a structure for crisis management. Each member has separate interests and responsibilities and becomes involved in a crisis depending upon the circumstances. Just as the State

Department is only rarely involved in incidents within the US, the FBI is rarely involved in incidents overseas. The FAA only becomes involved in hijacking incidents, etc. Generally for terrorist incidents which occur outside the US, State, Defense, the NSC and the CIA are the principal participants.

Let us examine in more detail what happens when a terrorist incident occurs overseas and how the coordinating mechanisms operate. When a serious incident occurs, such as a bombing, a hijacking or armed attack, the 24-hour watch centers of the interested agencies alert the interested offices within their agencies. If the incident occurs at night, the watch would alert the duty officers for these offices who would make additional alerts within their offices. If the incident seemed sufficiently serious, the heads of separate offices in the State Department in consultation with each other might request the establishment of a Task Force within State's Operations Center to monitor developments, establish contact with other agencies and posts overseas and coordinate all State Department actions. Such Task Forces were set up recently in connection with the September 20 bombing of our Embassy in Beirut, the hijacking of the Kuwait Airlines flight to Iran and the escape of Jeremy Levin from his captors in Lebanon. The position as head of Task Forces is generally shared by M/CTP and the responsible regional bureau in the Department. Such Task Forces can be set up quickly and be operational as soon as the first participants show up in the Operations Center. The other agencies might constitute their own working groups as appropriate during the early hours of a crisis. The working groups or task forces of the separate agencies continue their internal coordinated watches for the duration of a crisis.

The first inter-agency contact might occur shortly after the incident has broken. It is generally in the form of a phone conversation between members of the IG/T who would assess the situation and note the actions that their departments are considering. Each department has its separate responsibilities and its separate assets which contingency planners automatically begin considering at the outset of an incident. The Defense Department might look at US units in the area and our capability for a military response, while the State Department considers host government efforts to deal with the crisis, the threat to Americans in the area and liaison with families of victims and the press. For most incidents, coordination can be handled through regular phone conversations between IG/T members from State, Defense and the other involved agencies. Questions about the deployment of force to resolve a crisis might be discussed informally at first among the IG/T members and followed up at meetings organized through the National Security Council, but approval for any action comes from the highest levels of each agency and the White House.

What actions are we taking or considering in the fight against terrorism? Any discussion of actions against terrorists brings to mind Secretary Shultz's statement of October 25, 1984, when he said that "Our responses should go beyond passive defense to consider means of active prevention, preemption and retaliation. Our goal must be to prevent and deter future terrorist acts." We should not look upon these words as a definition of how we might respond to each future terrorist incident, but rather as opening further the range of actions for consideration in the fight against terrorism. Unlike the FBI in its role as the lead agency for domestic terrorism, we do not have the same jurisdiction to take action overseas. While use of force presents one variation of such additional activities, we should recognize that there are other active measures, covert and overt, which should be included as options. The statement serves as a warning to terrorists and their supporters that we have the will and ability to act. As in all conflict situations, there are a wide range of actions short of all-out warfare which might resolve problems. I would like to turn to an exploration of these possible actions, dividing them into two categories: actions we might take unilaterally and actions we might take along with other countries.

Unilateral Actions. There are a number of actions the United States has taken and has been considering on a unilateral basis to deal with the international terrorist threat. They range from strictly defensive protective measures to our military capabilities.

--First, improving physical security at embassies and missions around the world has the highest priority. Using existing resources plus those made available already, as well as those additional resources being requested by the Security Supplementals of FY 1985, the Department has acted to reinforce the buildings, upgrade security equipment, and augment guard forces at the most highly threatened posts around the world.

--Second, we are upgrading the emergency planning capabilities at every embassy. Each post is required to prepare an "Emergency Action Plan" for any threats or emergencies it might face. These plans are updated every two years. Each embassy has an Emergency Action Committee which is responsible for managing terrorist incidents and coordinating security precautions among separate USG agencies within the country. Just as the military tests its capacity to respond to a crisis through a series of exercises, we have begun a similar program to test the ability of our embassies. Using a compressed time series and a program designed for the problems of the post, a visiting team simulates a hijacking, a bombing or an assault on the embassy. This program which began in 1983 will test the capabilities of about two dozen of our embassies in high threat areas during 1985.

--Third, we are sensitizing employees to the dangers posed by international terrorism. As noted previously, the Secretary has demonstrated a personal interest in changing the mentality of the Foreign Service regarding terrorism. This is demonstrated by daily meetings on terrorism and security issues when he is in Washington and his inspection of posts overseas upon arrival in a foreign country. We offer seminars on countering terrorism to all USG employees going overseas, and require all State Department employees to participate in these seminars.

--Fourth, we are seeking to increase cooperation with American businesses operating overseas. The Threat Analysis Group of the Office of Security in Washington and the Regional Security Officers at posts overseas encourage contact with the private sector on security issues. The Secretary announced in February the formation of the Overseas Security Advisory Council where public sector and private sector officials will meet to exchange information on security issues and make recommendations for closer operational cooperation.

--Fifth, we have promoted legislation within our country which strengthens our defenses, implements our international obligations under anti-terrorism conventions, and provides stricter punishment for perpetrators of terrorist acts. During the 1984 session, Congress passed the Security Supplemental which appropriated additional funds for enhanced security programs, for our exercise program and for a new program to pay money as rewards for information on terrorists. The Comprehensive Crime Control Act of 1984 included provisions against murder-for-hire and other areas which have assisted in the anti-terrorist fight. Other legislation implemented the Montreal Convention against aircraft sabotage and the UN Convention against taking hostages. We examined the possibilities for major new legislative initiatives for the 1985 session and concluded that no such initiatives were called for at this time. We recognize the importance of close cooperation with the legislative branch and will be looking continuously for new areas for collaboration.

--Sixth, controlling trade with states which are supporters of terrorism. Pursuant to its authority to control the export of defense articles and defense services under Section 38 of the Arms Export Control Act, the State Department, as a matter of policy, does not permit such exports to any of the five countries -- Cuba, Libya, Syria, Iran and South Yemen -- designated as states which support terrorism under Section 6(i) of the Export Administration Act. The Export Administration Act aims at restricting the export of goods or technology which would make a significant contribution to the military potential or would enhance the terrorist support capabilities of the designated states. Other trade controls against terrorist states are difficult to establish because exporters would oppose them, viewing the controls as a form of harassment which would cost them sales and encourage countries to turn to other suppliers.

--Seventh, we seek to exercise controls over the travel to the US by suspected terrorists and the movement of diplomats from states which support terrorists. We are able to prevent the issuance of a visa or the admittance at the port of US entry of suspected terrorists through the worldwide visa lookout system which contains an applicant's name with a special indicator code noting what further action is necessary. For government employees and certain other categories of citizens from Libya, Iran and Cuba who seek to enter the US, a request for an advisory opinion is forwarded to Washington, which results in a complex series of name checks and eventually an instruction to the post of inquiry. Time and geographic restrictions on travel within the US can be written into the visa for officials of such countries who must travel to the US, for example, for business at the UN.

--Eighth, better intelligence is clearly one of the most important keys to a more effective counter-terrorism strategy. But terrorism poses a special kind of challenge in terms of both collection and analysis. To be useful, it must be acted upon. Thus there is often a hard choice to make between concealing our sources and taking advantage of our knowledge. We have put more emphasis on collecting intelligence of terrorism by all agencies operating overseas. Good intelligence will give us the advance warnings of pending attacks, information about movements of suspected terrorists and the ability to preempt an attack by such means as obstructing the route of the attacker or moving the target to another location.

--Ninth, we are prepared to provide supplementary personnel for embassy staffs at the time of an incident. For an on-going incident, we have the ability to dispatch an additional security officer, intelligence officer or specialist on psychology of terrorists or hijackings. We also can dispatch teams composed of intelligence and military experts to the site of an incident to support our embassy or the efforts of a local government to deal with a problem.

--Tenth, we have the capability to act militarily at the time of a severe crisis when it is determined that important US national interests are at stake. Under Secretary Ikle has provided some information about our capabilities in this area, but I am sure the committee understands much of this information is very sensitive.

These steps represent a wide range of areas for action which we have taken or are capable of taking. In consideration of the more active options, there is an inherent dilemma for a superpower in responding to terrorist threats and attacks through force. On the one hand we must be willing to consider the whole range of options--and be perceived by terrorists and their supporters as an effective opponent--if we are ever to deal successfully with the problem, but on the other hand we must weigh carefully the consequences of our actions. Effective action requires good intelligence about the terrorists and where they might be. We must consider the likelihood of success of our action and balance it against the costs of failure, the threat to innocent victims and the possible public outcry against our actions. We must examine the moral implications of our action, as well as relevant domestic and international legal considerations. If we do not have the support of the host government for our military action, we must weigh the likely reactions of our allies--whose bases we might have used for the operation--and any response from our adversaries in terms of additional advantages they might seize on a global level or in the state where we have acted.

Selecting the appropriate response to each terrorist act raises many questions. We should not consider it a sign of weakness that a terrorist act might occur without a US military response. We must remember that we are a superpower with global interests and responsibilities and we must recognize that in many cases the disadvantages of military action from the global perspective might outweigh the advantages. This does not mean that we are either unable or unwilling to act forcefully, but rather that in most circumstances other sorts of actions might be more appropriate than a military response. Israel is frequently cited as a nation which knows how to deal effectively with terrorists, but even key Israeli anti-terrorist experts have acknowledged publicly that use of force cannot, by itself, solve the terrorist problem. The US policy and practice is to consider as broad a range of measures as possible, not to rely too heavily on any single one. In considering this range of actions we must look beyond what we might be prepared to do unilaterally to deal with the threat to what we might do in concert with other states.

Multilateral and Bilateral Actions. Common action against terrorism should be considered in both the multilateral and the bilateral context. Looking first at the possibilities for multilateral actions, there are two types: universal actions generally under the auspices of the United Nations and those actions by small groups of like-minded states working together.

There are several examples of global treaties covering terrorist issues. The Hague Convention on aircraft hijacking mandates severe penalties for the seizure or attempted seizure of an aircraft in flight and requires extradition of the hijacker or submission of the case for prosecution. The Montreal Convention on aircraft sabotage creates similar obligations regarding acts which endanger the safety of an aircraft in flight. There are also separate UN conventions covering murder, kidnapping and other attacks against diplomats, and the taking of hostages. The obligations under these conventions are again generally similar to those of the Hague Convention.

The existing international conventions are important because of the moral force they offer, but their effectiveness is at present severely limited by the lack of viable enforcement mechanisms. One can recognize instantly that these conventions have not halted hijackings, crimes against diplomats or hostage taking. Some nations have not acceded to the conventions, others may have done so only with reservations, and still others refrain from honoring the agreements they ratified. The present international environment creates special difficulties for international agreement on any subject. International discussions such as those at the UN and its specialized agencies have frequently become bogged down in peripheral issues and special interests such as the participation of certain states and groups in the meeting. Despite possible problems, we must recognize the moral force of these conventions, work toward their effective implementation, and be on the lookout for new areas for international cooperation.

Agreements among smaller numbers of like-minded states generally present greater opportunities for cooperation at present than international conventions. During recent years the US has looked to the Summit Seven industrial states for closer cooperative measures against terrorism. Terrorism has been a topic of discussion among the Summit Seven leaders, the Foreign Ministers and the experts group specially established to consider counter-terrorism initiatives. Following the Summit sessions there have frequently been communiques condemning terrorism and providing direction for further areas of cooperation. Special attention has been given at the Summits to aircraft hijacking, specifically through the Bonn Declaration of 1978, which provides for concerted sanctions against states that fail to take appropriate legal action against hijackers. The Bonn Declaration led to sanctions against Ariana Afghan Airlines in 1982. During 1985 one of the Summit topics was the ties between narcotics traffickers and terrorists.

Developing effective cooperative measures even among like-minded states such as the Summit Seven present numerous difficulties. Some states are unwilling to share information in a multilateral forum that they might be willing to share bilaterally. Each state faces a different sort of terrorist problem and naturally thinks in terms of its own interests when dealing with others. There is, however, a general consensus among the Seven to seek systmatized bilateral cooperation in such a way to have the practical effects similar to those of a collective approach but avoiding the major obstacles faced by global initatives. The US will continue to pursue closer cooperation in the framework of the Summit Seven, look for other possible initiatives among other like-minded groups of states and consider new UN-related initiatives, but we believe that the best possibilities at present for cooperation lie with closer bilateral ties.

Bilateral Efforts. Bilateral cooperation overcomes many of the problems inherent in multilateral efforts. Dealing with single countries and specific areas of cooperation, we have been able to work out understandings that we have not been able to reach when a broader number of countries have sought to work together. We are pursuing such bilateral initiatives with the goal of eventually building them into a framework of multi-state bilateral cooperation. As could be expected we are able to work most closely with countries which are our closest allies.

We have been pursuing closer bilateral cooperation through a number of channels. Collaboration to combat terrorism is regularly an agenda item for discussion with high level visitors to the U.S. and for senior American officials travelling abroad. Inter-agency delegations of experts have visited foreign capitals for in-depth bilateral talks with their counterparts on the many aspects of the anti-terrorist struggle, ranging from better intelligence and better physical security to more effective anti-hijacking measures and how to close legal loopholes. One delegation composed of public and private sector representatives has visited key Middle Eastern and South Asian air centers to discuss better airport security. Each Embassy has been instructed to follow up on these visits and pursue other measures which will lead to closer cooperation.

Better intelligence is a key to more effective action aaginst terrorism. We must be prepared to consider sharing information and analyses with other governments since the biggest threat to our interests occurs outside the US where we must look to others as the first line of action.

Intelligence can be shared more candidly and usefully on a bilateral basis than through any multilateral forum. Specific areas for intelligence cooperation in dealing with terrorism include: agreeing to a higher priority on terrorism between the services, sharing data on incidents, suspected terrorists and the movements of terrorist groups, and conducting immediate consultations at the time of an incident.

The Anti-terrorism Assistance Program has provided the U.S. Government with a vehicle to train and exchange experiences with friendly foreign governments on the practical aspects of counterterrorism. The legislation establishing the program has enabled the State Department to provide this important assistance to the same civilian forces which must carry the brunt of the fight against terrorists and the protection of our business, diplomatic, and military installations and personnel. Since the program began in April 1984, we established active exchange and training programs with 20 foreign governments in all areas of the world. By the end of 1985, we expect at least 7 additional governments to those already participating. There will be a total of perhaps 1000 foreign officials who will have participated in the program by the end of the year from countries as diverse as Italy, Egypt, Turkey, the United Kingdom, Costa Rica, Ecuador, Honduras and Colombia.

There are other areas for bilateral and possibly multilateral cooperation currently under consideration. We are looking at mutual ways which we might penalize and deter states which are sponsors of terrorism. Before proceeding in this area, there must be an agreement about which states support terrorism and a plan to convince local economic interests of the importance of possible trade restrictions. We are talking about measures to counter the misuse of diplomatic privileges, but we must recognize that any steps which we take to monitor diplomatic shipments more intrusively could work against our interests because acts we take could be reciprocated by others. We are discussing joint measures to provide better protection for diplomatic missions. In this area we generally receive more support from foreign governments in protecting our missions than we can provide because of the separate policing responsibilities in various American cities.

To recapitulate, the terrorist threat will be with us for the foreseeable future. The main threat to Americans will come overseas, particularly in the Middle East, Latin America and Europe. The US Government is well organized and coordinated to meet this threat and we have clear policy guidelines. We appreciate the strong support of the Congress in this area. To counter the threat, we have available to us a broad spectrum of action, ranging from defensive measures to deterrents and punishment. But the possible cost of superpower action in this arena must be carefully weighed against the potential benefits. Each case must be considered on its merits and failure to act or react should not be considered a sign of weakness. We are working closely with international organizations, our Summit Seven allies and bilaterally to tighten our defenses and deter terrorism. But, despite our best efforts, we will not always succeed and, given the nature of the problem, you will be far more aware of our failures than our successes.

I would be pleased to respond to your questions.

Senator DENTON. Thank you, Ambassador Oakley.

I certainly generally agree with everything you have said.

However, you did mention that the Secretary of State, among others, is trying to develop a consensus. Consensus is necessary to serve as a basis for any policy.

But then, when you said we have a sound policy, an effective organization to deal with terrorism, and the ability and will to take necessary action, that seems to contradict the thrust of your other statement that we have yet to build a consensus, we have yet to instill in Congress, perhaps even within the Administration, since this is a new force, an estimate of the threats to our interests posed by the various aspects of terrorism and the drug relationship with it. And, not having that, and not having articulated it sufficiently, you are going to run into, as you said, again, a problem with respect to perseverence.

I hope that you can agree with me that, considering the inevitability of continuing terrorism worldwide and perhaps an increase within the United States itself, we need more public discussion of the rationale behind U.S. policy that is still being developed. You have laws that you want us to push through here. I support this. There are some that we already have passed: Enabling legislation for the Montreal Convention Against Aircraft Hijacking. Also, enabling legislation for the U.N. Convention Against Hostage Taking. We passed one on the rewards for information respecting terrorists. But, we have three others that we are working on now. One of them is the Antinuclear Terrorism Act, which would require identification procedures and background checks on people working in nuclear plants. Another is the Anti-terrorism Act. We have yet to declare terrorism as a Federal crime.

We have yet to amend the Freedom of Information Act to exclude counterintelligence and terroristic-type information. And we still have the problem, which seems to have been shelved temporarily—and I don't know that it is a bad idea—of officially identifying certain nations as terroristic. There is a storm of discussion and understandable controversy about that effort. What is one man's terrorist is another man's freedom fighter, that sort of thing.

Do you agree that the biggest task we have right now is to proceed in a bipartisan way, toward the further formulation of legislation and policy which identifies our interests, and considers international law, morality, our national character, and all of that, but with the realities of what the others are doing.

Remember the Marine hymn words "To the shores of Tripoli." That was a time when the United States of America was a tiny Nation but with a consensus, with a media which supported survival of the Nation and was willing to get into what it took, to a greater degree, perhaps, than today. We sent a small force when other nations wouldn't send any. The big nations of France and England, who were using the seas more than we, were intimidated by these terrorists, these pirates out of Tripoli. We sent a force over there and cleaned them out. Nobody complained. But we did it.

I am not recommending that we take reckless or inhumane action, and I am sure you are not. But I am hoping for a time in which we have more consensus, more understanding within this body. I assure you, Mr. Oakley, that we do not have it within this body. There are a lot of folks who don't know who Carlos is. There are a lot of folks who don't know anything about "The Urban Guerrilla Handbook." There are a lot of folks who do not believe that Moscow has anything to do with Bulgaria, or that Bulgaria is engaged in active measures against U.S. interests, or that there is a link between Moscow, Havana, and Managua.

All of that has to be further articulated here with just as much lobbying as you do on some other kind of bill from another department in the government, or you are going to have a political circus down here and further paralysis, with more signs going up in Tehran saying "America Can't Do a Damn Thing." You know, it is a fact. They had that sign up at the Tehran Airport in Iran.

I believe we do not have the will yet, the understanding yet. So, I disagree with your statement. Would you care to comment? You said we had the organization and the will to do what is necessary, but earlier you said we don't have a consensus. I don't think both statements can be correct.

Ambassador **Oakley**. Senator, when I talked about the will, I was talking about the administration, but let me add that I agree completely that much more needs to be done in the field of education. We recently set up—not that organizations are the answer to the problem—a working group of the Interdepartmental Group on Terrorism on Public Diplomacy, which is an overused phrase, but designed to do just that.

The Secretary of State, as you know, has made speech after speech on this, and is doing everything he can both at home and with other governments to educate them as to the nature of the threat. I believe that we do have a general policy that makes sense.

But I also agree with you that if it is going to be implemented consistently, and when it comes time to make a specific decision on the basis of general policy, then you have to have the type of support and consensus that you are talking about. We need to work harder to get it.

That is why these hearings are so important, and I personally and the Secretary of State are delighted that we have the opportunity to get these things out.

Senator **Denton**. Well, I appreciate those comments, because it has been an agonizing process to learn what I have learned and then to see the lack of understanding that exists in this body.

You are going to make mistakes every once in a while, and we in Congress just have to observe that, as in a football game, and still act like Congressmen. We in Congress still have to have an input to the process, but right now I think it is relatively chaotic, and I do hope that we have more hearings on this subject.

I am not going to delay this any further. Would you like to comment any more specifically about the apparent, or rather, the alleged—I am not sure that there was not something out of context when the Vice President said that is not true. That may have been a response to a journalist's generalization of what the Secretary of State had said.

Ambassador **Oakley**. As I recall, it was, he had not seen the speech, but I think that Dr. Ikle has answered it very, very well. Clearly the administration is going to act in accordance with the law and the existing executive decisions.

There are a number of factors to be weighed. These are weighed very carefully in interagency councils at the very highest levels.

The point that you made, though, I think, is the one, and Mr. Ikle also has addressed, there are going to be occasions when innocent life is going to be taken. I would not characterize this as an assassination. I think that those who try to describe it as an assassination are really dragging in a red herring here.

Senator DENTON. You mean innocent life may be expected to be lost in such situations.

Ambassador OAKLEY. That is right. Precisely Mr. Ikle's point about the nuclear weapon. We can raise another hypothetical situation.

What would happen if a nuclear weapon or a large amount of other explosives had been placed in a truck, there were some innocent hostages in that truck, and that truck was headed, say, for the White House or for an Embassy overseas? Are you expected to sit back and do nothing? Or are you expected to take action which you know, unfortunately, is going to cost the lives of some civilians?

There are a number of situations of that sort, and each one has to be addressed individually. I think that it is completely misleading and unfair to imply that the action in Beirut to which Senator Eagleton and Senator Biden were referring was the responsibility of the U.S. Government. There is just no justification for that.

Senator DENTON. I say media sometimes when I am referring to—I cannot use the word "liberal,"—those who seem to be the most persistently anti-establishment, the most critical of whatever President, be he Carter, Reagan, or whomever. They are not in the majority.

They just happen to be, some of them, in key places, particularly in the three networks. It is a game, in my view. I do not even consider it culplable. I consider it the usual media versus establishment thing, which tends to keep the establishment honest.

But in this game I think I heard that Pat Buchanan invited a number of journalists into a background briefing and discussion, and it was said somewhat accusingly that it turned out that the ones invited were the ones who were to appear on a particularly prominent Sunday television program.

It was sort of "tch, tch." He did that. That is conspiratorial. It seems to me that there is a great need for background briefings or discussions among our officials and key media influencers; thinkers, too, if you will, on this subject.

It seems to fly in the face of logic that two media people have declined to testify here. Gosh, if we are not going to have—you are going to have sympathizers, those of you who think that the State Department is bent on evil and that the President is bent on evil. You are going to have partisan supporters who will go with that.

But if we do not have an open discussion of this, if we do not agree as Americans that it is important and address it openly so that we get somewhere, instead of continuing the spitting contest that has been going on since about 1967, I do not have a whole lot of optimism about our prospects for our system surviving.

I am not sure we have the ability as a government to cope with terrorism unless there are some changes. I do not think that the fault lies entirely with the media. There has to be a change on the part of the government to recognize that the terrorists are indeed a new power.

Television is an immensely powerful thing. The newspapers are split about 50-50 conservative-liberal, if that is worth noting, but the three television networks are not. There have been books written on the subject, acknowledgements of that fact.

But is there even a hope that we could get together with them less on the straight interview that the President has or the Secretary of State has? Background briefings? Are they something you guys are trying real hard to get? Do you see that that might be useful?

Ambassador **OAKLEY**. We can certainly try harder, and we intend to do so.

Senator **DENTON**. Well, I certainly recommend it. I think that the media people would learn something too. By their questioning and thrust you would probably get clear in some of your intentions.

I would make that specific suggestion. And we are going to continue to conduct more hearings, to let this thing be aired out until we thrash it out for you.

I believe we ought to be loyal to the quarterback. If we have a bias, it ought to be to him in this kind of trouble. I do not see the quarterback snapping the ball and the left end standing up and saying, "oh, Ron, you should have called 'student body right' instead of 'zig zag past left'," which is happening repeatedly now. We had such effective bipartisanship from about 1941 to 1967. I would like to see it return for this new phase.

Thank you, Ambassador Oakley, for your testimony. We will be submitting written questions to you, and we ask that you respond to them. We have one more panel after you. Thank you, Mr. Ambassador.

Before we have the next panel, we will take a 10-minute recess.

[A 10 minute recess was taken.]

Senator **DENTON**. We will resume the hearing with our final panel. We have a return engagement by Mr. Brian Jenkins, who we welcome, and we are fortunate to have Mr. John Murphy, professor of international law from the Villanova School of Law.

Mr. Murphy, do you have a statement that you would care to make?

STATEMENT OF JOHN F. MURPHY, PROFESSOR OF INTERNATIONAL LAW, VILLANOVA UNIVERSITY, AND CHAIRMAN, AMERICAN BAR ASSOCIATION INTERBAR STUDY GROUP ON INTERNATIONAL TERRORISM

Mr. **MURPHY**. Thank you, Mr. Chairman. I have a fairly lengthy statement that I prepared for the record, which I believe you have. I will not attempt to read that into the record, I assure you, but I would like to make a few remarks if I might before the question period.

Senator **DENTON**. Without objection, your prepared statement will be included in the record.

Mr. **MURPHY**. I appreciate the opportunity to appear before you this morning, Mr. Chairman. The hour is late, and time is brief, so I would like to zero in on a few elements that I regard as the most important points to be made, and perhaps we could have a further discussion of them later.

In particular, I would like to hightlight new legislation that I think would be useful in reforming U.S. law and policy. I also want to mention very briefly the problem of defining terrorism and international terrorism.

One of the difficulties of dealing with this problem of international terrorism is definitional confusion. An important distinction to be made is between acts in armed conflict, which would be regarded as lawful under the law of armed conflict, and acts of terrorism, whether they occur inside or outside of an armed conflict.

I think the basic distinction is that terrorism includes acts by individuals that are usually directed against innocent persons or civilians; there is a political motivation behind the taking of hostages, the setting off of bombs, the hijacking of aircraft, a political message which goes not only to target governments, but also to the public at large in an attempt to gain sympathy for the terrorist cause.

At the risk of simplification, there are basically three stages of combatting international terrorism. The first and ideal stage is the preventive stage.

That is, you prevent the terrorist act from ever occurring. There are two ways to do this. You harden targets through security measures or you find through intelligence that a terrorist act is about to occur and you intercept it.

With respect to possible reforms in this area, I would just note that I understand there are still questions under U.S. law regarding the ability of intelligence agencies to keep inormation regarding terrorism confidential. There is a conflict between the need to combat international terrorism and such values as privacy and freedom of information.

I would urge that legislative work continue clarifying these ambiguities and enhancing the United States' ability to cooperate with other intelligence agencies around the world in order to obtain the proper intelligence and to provide our allies with our intelligence.

There is some more discussion of these problems in my statement.

The second stage is managing a terrorist incident. That is, a terrorist incident occurs. It is under way. Officials have to react to it. There is the question of preventing panic, which would become a major problem if a nuclear incident were to occur.

Then, of course, there is hostage taking. I was pleased to see that Congress adopted implementing legislation in the last session for the hostages' convention.

Reference was made earlier this morning to the fact that the United States takes a very hard line, no concessions position on paying ranson to terrorists. However, it is worth noting that that hard line does not spill over to the payment of ransom by U.S. transnational or international business corporations.

There has been a substantial dispute as to whether the law should be extended, that is, whether limitations on the payment or ransom, or giving concessions to terrorists should apply to U.S. transnational corporations. In my view, one of the major problems at this point is that we really don't know the magnitude of the difficulty.

U.S. transnational corporations tend to treat ransom negotiations, and the payment of ransom, as business secrets. Therefore I am proposing that Congress consider adopting legislation that would require U.S. transnational corporations to report to Congress, under an injunction of confidentiality, on any negotiations they engage in with terrorists, and what, if any, ransom they have paid.

I think we need facts and figures here, and we do not have them at this stage.

Senator **Denton**. Would you clarify that? Would you say you oppose or propose such a law?

Mr. **Murphy**. I propose such a law. That is an important clarification.

The third stage, Mr. Chairman, is a situation where the terrorist act has occurred, let us say, in one country, and the terrorist has fled from that country to another country. There one is faced with the question and the problem of apprehending, prosecuting, and punishing of the international terrorists.

It is this area, I believe, that is most in need of reform. I have three proposals to make.

First, I believe that Congress should resume as a matter of high priority its deliberations on revising U.S. extradition law. There has been substantial discussion of this, nothing came of it last session.

Any resulting legislation on U.S. extradition law should include a definition of international terrorism and a directive to the courts excluding terrorism from the political offense exception.

Second, I believe that the United States should take some initiatives in the U.N. General Assembly, perhaps through another country, not to introduce a convention, but to have some debate in the General Assembly, perhaps in the form of a draft resolution, a resolution that would define international terrorism, classify it as an international crime, and call upon member countries, upon apprehension of an international terrorist in their territories either to extradite the terrorist back to the country where he committed his crime or to submit him to their own prosecuting authorities.

Third, I believe that the United States should consider the adoption of legislation that would make international terrorism a crime under Federal law, which would allow the United States to prosecute and punish those international terrorists they decide not to extradite.

Fourth, I would suggest that the executive branch, with any assistance Congress can lend, continue its efforts to conclude treaties of international judicial assistance, particularly since the present treaties have a political offense exception.

That is, if the United States wished to prosecute a terrorist in its own courts and attempted to get evidence from a foreign country in order to have sufficient evidence to prosecute and punish this individual, it might run into difficulties because the requested country could regard terrorism as a political crime. These treaties should be revised so as to exclude terrorism from the political offense exception.

Those basically are my suggestions with regard to law and policy. I would just conclude, Mr. Chairman, with a word on the issue that was debated at great length this morning, that is, state support of international terrorism.

I am engaged in a study for the ABA of this subject, which should be concluded a year from now. I will give you my initial bias, which is that we should be very careful about using force. That is, we should make sure that every attempt has been made to resolve the problem of state support of international terrorism through peaceful means.

Thank you, Mr. Chairman.

[Mr. Murphy's prepared statement and additional material supplied for the record follow:]

PREPARED STATEMENT OF JOHN F. MURPHY

Mr. Chairman and Members of the Senate Committees on Foreign Relations and the Judiciary, I appreciate the opportunity to appear before you today to address the subject of present and prospective United States policy toward combatting international terrorism. My statement this morning will focus primarily on the legal aspects of U.S. policy. Because this is a subject of substantial scope - one that has been explored in detail elsewhere[1] - I will limit my remarks to those areas I view as most requiring urgent action, especially those areas where legislation may be appropriate.

Before exploring these areas, I will discuss briefly the problem of defining international terrorism. Definitional impreciseness has greatly exacerbated the difficulties experienced in combatting international terrorism.

Then I will turn to the three stages where terrorism may be combatted. The first, and ideal, stage is before a terrorist attack has occurred. The second is where prevention has failed, and a terrorist attack is in progress. Examples would include a hostage taking or a bombing involving substantial personal injury and loss of life. Here the goal is to manage the incident so as to minimize terrorist gains while safeguarding basic values such as the right to life. The third stage is where the terrorist has succeeded in committing his crimes and escaping capture. At this stage the goal is to apprehend, prosecute and punish the terrorist in a manner consistant with fundamental concepts of human rights.

Next this statement will briefly discuss the problem of countries that offer safe-haven to terrorists or otherwise support terrorism. I will conclude with my conclusions and recommendations regarding U.S. policy.

Terrorism: The Definitional Focus

"Terrorism: is a term of uncertain legal content. The late Richard Baxter, Professor of International Law at Harvard University and United States Judge on the International Court of Justice, was particularly dubious regarding the desirability and necessity of defining the term. In his view, "We have cause to regret that a legal concept of 'terrorism' was never inflicted upon us. The term is imprecise; it is ambiguous; and above all, it serves no operative legal purpose."2

At the international level, in particular, there is no agreed upon definition of "terrorism" and hence no international crime of terrorism. Rather, there are treaty provisions for suppression of aircraft hijacking, unlawful acts against the safety of civil aviation, unlawful acts against internationally protected persons, including diplomatic agents, the taking of hostages and the theft of nuclear materials. Although these treaty provisions are often loosely described as "antiterrorist," the acts they cover are criminalized regardless of whether they, in any particular case, could be classified as "terrorism." Similarly, under national law, penal provisions with respect to murder, assault, theft, illegal detention of persons, taking of hostages, arson, etc., are normally the basis for prosecution of "terrorist" acts, although they usually contain no reference to terrorism and are applicable notwithstanding the absence of a terror outcome. To be sure, some countries have adopted antiterrorist statutes, but these are exceptions to the norm and are themselves highly controversial.

Besides being "imprecise," "ambiguous" and serving no "operative legal purpose," the term terrorism is emotionally charged, as demonstrated by the cliche, "One man's terrorism is another man's heroism." Some countries believe that the causes of terrorism or the political motivation of the individual terrorists are relevant to the problem of definition. For example, the position of some governments has been that individual acts of violence can be defined as terrorism only if they are employed solely for personal gain or caprice; acts committed in connection with a political cause, especially against colonialism and for national liberation, fall without the definition and constitute legitimate measures of self-defense. Under this approach, then, the sending of letter bombs through the mails, hijacking of airplanes, kidnappings of or attacks on diplomats and international business persons, and the indiscriminate slaughter of civilians by members of revolutionary groups could never constitute "terrorism" if committed on behalf of a just cause.

Another approach is to define as terrorism only the use of terror by governments or so-called "state terrorism." Indeed, the word "terror" was first used in connection with the Jacobin "Reign of Terror" during the French Revolution. As a result of these pejorative and ideologically circumscribed uses of the term "terrorism" in international forums, no general definition has been agreed upon.

We shall return to the problem of defining terrorism later in this statement. For present purposes, a rough working definition might be that currently employed by the United States Government in collecting statistical information on international terrorist activity:

> Terrorism: The threat or use of violence for political purposes by individuals or groups, whether acting for or in opposition to established governmental authorities, when such actions are intended to shock, stun or intimidate a target group wider than the immediate victims.[3]

The United States government's definition of "international terrorism" is:

> International Terrorism: Terrorism conducted with the support of a foreign government or organization and/or directed against foreign nationals, institutions, or governments.[4]

One more distinction between various types of terrorism may usefully be drawn: terrorism in armed conflict and international terrorism by private individuals. Terrorism in armed conflict includes acts inflicting terror in the context of "armed conflict" covered by the laws of war. Examples would include the killing of defenseless prisoners of war and the wanton slaughter of civilian noncombatants. International terrorism by private individuals covers acts outside of an "armed conflict." To be sure, these two categories are not necessarily mutually exclusive, as it may be difficult to determine whether a situation should be characterized as an "armed conflict" subject to the laws of war. Moreover, as we shall see later, several proposals have recently been made to bridge the gap between laws covering terrorism in armed conflict and terrorism committed by private individuals in the civilian context.

Preventing Terrorist Attacks

Basically, there are two ways of preventing attacks: the hardening of targets and the effective collection and use of information or intelligence regarding terrorists and their movements and plans. Hardening of targets through barricades and screening devices are much in evidence in Washington. Such security is costly and intrusive. Carried to an extreme, it could turn the United States into a garrison state and seriously interfere with fundamental liberties and freedoms. We have not reached this stage, perhaps because terrorism has not yet become a major problem within United States territory.

There is general agreement that the collection and use of intelligence is an effective law enforcement response to terrorism. Ideally, the gathering of intelligence enables law enforcement officials to intercept terrorists at the launching stage before they have inflicted injury on persons or property. This has proven to be a difficult job to accomplish, however.

Numerous problems have arisen at the national level. In the United States, there is evidence that post-Watergate intelligence constraints imposed from 1975 to 1980 on intelligence activities may have adversely affected the timing and availability of preventive intelligence to the extent that the proportion of cases in which violence or other crimes were prevented declined.[5]

On the other hand, during the late 1970s and 1980s, there were a number of changes in U.S. law and policy concerning intelligence activities, some of which were in response to the threat of terrorism. Some examples include the Foreign Intelligence Surveillance Act of 1978,[6] the Intelligence Oversight Act of 1980,[7] President Carter's Executive Order 12036, President Reagan's Executive Order 12333 and Attorney General William French Smith's guidelines of 1983 governing domestic security/terrorism investigations conducted by the Federal Bureau of Investigation. Some have claimed that the lifting of constraints on intelligence gathering has gone too far and threatens such individual rights as privacy and freedom of speach and association.[8]

Be that as it may, the debate over appropriate constraints on intelligence activities continues and covers much more than just intelligence regarding terrorism. Nonetheless, any consideration of U.S. policy must highlight the importance of intelligence activities that unduly undermine efforts to combat international terrorism.

On the international level, the problems of gathering intelligence regarding terrorism are compounded. For example, Article 3 of the International Criminal Police Organization (Interpol) Constitution provides that "[i]t is strictly forbidden for the organization to undertake any intervention or activities of a political, military, religious or racial charcter." Because of this restriction, Interpol has felt constrained to proceed cautiously in its involvement with law enforcement agencies combatting terrorism. Interpol will not involve itself in intelligence activity aimed at preventing terrorist acts; however, once a criminal act has occurred, it will assist law enforcement efforts aimed at apprehending individuals responsible. This policy also has led Interpol to include in its files only those individuals who are directly implicated in a crime. Those individuals only suspected of involvement in terrorist activities are excluded.[9]

Interpol's cautious approach greatly limits the scope of its files and the effectiveness of preventive action by the international police community. Also, the "directly related" standard is imprecise, and it is unclear whether it covers co-conspirators, accessories, and sympathizers. On the other hand, there is a strong argument to be made in support of the Interpol position. Greater involvement by Interpol in antiterrorist activity might well embroil it in political controversies that would substantially reduce its effectiveness in carrying out a range of law enforcement activities that do not involve international terrorism. It is possible that the cost of broader Interpol involvement in antiterrorist activities would be unduly high, especially when alternatives could be developed to fill the gap, such as some which will be considered later in this statement.

Once the information is gathered and filed, the problems do not cease. Law and procedures regarding the sharing and dissemination of information regarding international terrorism among law enforcement officials in various countries are ambiguous and uncertain. This has especially been the case in the United States,[10] although there has been some recent legislative movement in this regard.[11] The standards here are found in national law, normally enacted without any contribution from other countries. High level intelligence gathering is virtually non-existent, and the quantity and quality of informal collaboration among middle level officials is unsatisfactory. There is, in short, no international network of shared information among democracies regarding terrorism.

This situation should be changed. Many, perhaps most, of the changes would involve revision of national law and practice. Further efforts should be made, for example, to resolve the ambiguities in United States law and practice regarding the gathering, analysis and dissemination of intelligence concerning international terrorism that hamper United States efforts to participate in multilateral intelligence initiatives.

Because of the severe limitations Interpol's charter places on its involvement with law enforcement agencies combatting terrorism, there is a need for heightened cooperation among intelligence officers outside of the Interpol context. There appears to be a substantial amount of such cooperation among law enforcement officials in Europe.[12] But there also appears to be general agreement that otherwise present arrangements for international cooperation among law enforcement officials combatting terrorism are inadequate.

To remedy this situation some have proposed an international clearing house of information regarding terrorists in order to permit law enforcement officials to trace their whereabouts.[13] Under this proposal an international working group would be established that would consist of senior level officials. While the working group would consist of represenatives from like-minded states, it would go beyond the regional framework.

Others have warned against setting up too highly structured an arrangement. In their view, informal links between law enforcement officials best serve to maintain the flexibility necessary for efficient law enforcement activities.

Whatever form they should take, efforts to coordinate activities between law enforcement officials need to be expanded.

Managing a Terrorist Incident

If a prevention fails, and a terrorist act, such as bombing, results in substantial personal injury or loss of life, the primary goal of public officials is to prevent panic and to ensure efficient medical treatment. Difficulties in achieving these goals would be compounded if so-called technological terrorism - involving the use of nuclear or chemical or biological weapons - were to become a reality in the United States. It is my understanding that U.S. officials responsible for emergency preparedness have been constructing elaborate contingency plans to cope with such emergencies.

The taking of hostages by terrorists raises its own peculiar problems for law enforcement officials. The world community has reacted to this problem through the adoption of the International Convention Against the Taking of Hostages,[14] and it was good to see that, as part of the Comprehensive Crime Control Act of 1984,[15] Congress approved an Act for the Prevention and Punishment of the Crime of Hostage-Taking[16] to implement U.S. obligations under the Convention.

Much attention has been paid to the problems of negotiating with terrorists -- Brian Jenkins' writings on this subject have been especially insightful - and law enforcement officials have developed highly sophisticated techniques for dealing with terrorists who take hostages in the United States. Their record of success is impressive.

The situation becomes more complicated when Americans are taken hostage abroad by terrorists. Under these circumstances, responsibility for the safety of the hostage lies with the host country. The United States Government plays only an advisory role.

In this situation, disagreement may arise between the United States and the host country's government over negotiating tactics. The U.S. position is that it will negotiate with terrorist hostage takers, but that it will not pay ransom. Some other governments have been willing to pay ransom - in some cases over U.S. objections - although there has been a hardening of attitudes in this regard.

Frustrated by this increasingly hard line governmental attitude, terrorists have often resorted to taking transnational business persons hostage, with U.S. business a favorite target. Although the U.S. Government attempts to discourage transnational corporations from paying ransom to Terrorists, it has no authority to prohibit them from doing so. Moreover, the standard practice of transnational corporations has been to pay ransom for the release of their employees and treat it as a business expense.

There has been extensive debate over whether they should be permitted to do so. Some countries - Argentina, Columbia, France and Singapore are examples - prohibit the payment of ransom and subject it to criminal penalties.[17] The record is unclear, however, regarding the effectiveness of this legislation prohibiting ransom payments. Some reports indicate that Singapore's legislation has been extremely effective in bringing an end to terrorist demands for ransom.[18] Other reports demonstrate that such legislation in Argentina and Columbia has been easily avoided and may actually undermine law enforcement efforts.[19]

It does appear clear that no hard data exist on the overall amount of ransom money paid by U.S. transnational corporations. Both U.S. transnational corporations and their insurers treat negotiations with terrorists and the payment of ransom as closely held business secrets. Understandably, transnational corporations wish to maintain a low profile in order not to stimulate further hostage taking.

There is little doubt, however, that the amount of money paid by transnational corporations and their insurers to terrorists amounts to many millions of dollars. Estimates of ransoms paid by all businesses during the past decade range from 150 million to 250 million, of which approximately 125 million was paid by U.S. firms.[20]

I would propose that, as a modest first step, Congress enact legislation requiring American transnational corporations to report to the U.S. Government, under an appropriate injunction of confidentiality, on the details of their negotiations with terrorists and, in particular, the precise amount of any ransom money paid. Such reporting would serve two purposes. First, it would provide congress with precise information about the magnitude of ransom payments by U.S. transnational corporations to terrorists. Second, it might indicate a need for further legislation or, at a minimum, support cooperative efforts between governments and transnational corporations to combat the terrorist threat.

Apprehension, Prosecution and Punishment of International Terrorists

It is in the area of apprehension, prosecution, and punishment of international terrorists that the most steps have been taken toward combatting international terrorism; however, this is also the area most demanding further reform.

At this writing, the world community has adopted five global, multilateral, antiterrorist conventions: The Convention on Offenses and Certain Other Acts Committed on Board Aircraft (Tokyo Convention),[21] The Convention for the Suppression of Unlawful Seizure of Aircraft (Hague Convention),[22] The Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (Montreal Convention),[23] The Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Agents (New York Convention),[24] and The International Convention Against the Taking of Hostages.[25]

The basic purpose of these conventions is to establish a framework for international cooperation among states to prevent and suppress international terrorism. To accomplish this goal, the New York convention, for example, requires states parties to cooperate in order to prevent, within their territories, preparations for attacks on diplomats within or outside their territories, to exchange information, and to coordinate administrative measures against such attacks.[26] If an attack against an internationally protected person takes place, and an alleged offender has fled the country where the attack occurred, states parties are to cooperate in the exchange of information concerning the circumstances of the crime and the alleged offender's identity and whereabouts.[27] The state party where the alleged offender is found is obliged to take measures to ensure his presence for purposes of extradition or prosecution and to inform interested states and international organizations of the measures taken.[28] Finally parties are to cooperate in assisting criminal proceedings brought for attacks on internationally protected persons, including supplying all relevant evidence at their disposal.[29]

A key feature of these conventions requires a state party that apprehends an alleged offender in its territory to either extradite him or submit his case to its authorities for purposes of prosecution.[30] Strictly speaking, none of these conventions alone creates an obligation to extradite. Rather, they contain an inducement to extradite by requiring the submission of alleged offenders for prosecution if extradition fails. Moreover, a legal basis for extradition is provided either in the convention, or through incorporation of the offenses mentioned in the convention into existing future extradition treaties between the parties. To varying degrees, the conventions also obligate the parties to take the important practical step of attempting to apprehend the accused offender and hold him in custody.

The most important goal of these provisions is to ensure that the accused is prosecuted. To this end, the alternative obligation to submit for prosecution is stated quite strongly in these conventions. The obligation, however, is not to try the accused, much less to punish him, but to submit the case to be considered for prosecution by the appropriate national prosecuting authority. If the criminal justice system lacks integrity, the risk of political intervention in the prosecution or at trial exists. Such intervention may prevent the trial, or conviction, or the appropriate punishment of the accused.

Even if the criminal justice system functions with integrity, it may be very difficult to obtain the evidence necessary to convict when the alleged offense was committed in a foreign country. This very practical impediment to conviction can be removed between states of good will only by patient and sustained efforts to develop and expand "judicial assistance" and other forms of cooperation between the law enforcement and judicial systems of different countries. The conventions create an obligation to cooperate in this respect but this obligation poses major problems for even good faith efforts among countries with different types of legal systems.

The U.N. Convention Against the Taking of Hostages adds a new dimension to presently existing international legal measures to combat terrorism. The convention seeks to ensure that international acts of hostage-taking will be covered either by the convention itself or by one of the applicable conventions on the law of armed conflict.[31] For example, hostage taking is a "grave breach" of the 1949 Geneva Convention Relative to The Protection of Civilian Persons in Times of War.[32] The Hostages Convention also represents a partial rejection of the thesis that acts of terrorism are permissible if committed as part of a war of national liberation.

Two other multilateral conventions, while not directed expressly against terrorism, are relevant for our purposes. The Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction[33] applies controls on weapons that are of potential use to terrorists. To the same end the recently concluded Convention on the Physical Protection of Nuclear Material (Convention on Nuclear Material)[34] prevents parties from exporting or importing or authorizing the export or import of nuclear materials used for peaceful purposes, unless they give assurances that such material will be protected at prescribed levels during international transport. The Convention on Nuclear Material also provides a framework for international cooperation.

The effectiveness of these global conventions as deterrents to terrorism is questionable. While much of the decline in aircraft hijacking since the conclusion of the I.C.A.O. Conventions was due to the preventive techniques of airport and aircraft security mandated by those conventions, aircraft hijacking has increased recently as hijackers have become skilled at avoiding security devices. There is ample evidence that hijackers have been submitted for prosecution either in the states where they have been found or in states to which they have been extradited.[35] It is unclear, however, whether these prosecutions can be attributed to the terms of the I.C.A.O. Conventions. Expulsion or deportation has been utilized more frequently than extradition to return hijackers, and the extradition of hijackers that has occurred appears to have been effected pursuant to bilateral treaties rather than the multilateral conventions. Some prosecutions of terrorist attacks on diplomats have also taken place, in some cases under legislation enacted to implement a state's obligations under the U.N. Convention on Internationally Protected Persons, but it appears that this U.N. Convention has not been relied upon for extradition. What the practice will be under the Hostages Convention remains to be seen.

There are three regional conventions designed to ensure that apprehended terrorists will be either extradited or prosecuted: The European Convention on the Suppression of Terrorism (The European Convention),[36] The Agreement on the Application of the European Convention for the Suppression of Terrorism (The Dublin Agreement),[37] and The Organization of American States Convention to Prevent and Punish the Acts of Terrorism Taking the Forms of Crimes Against Persons and Related Extortion that are of International Significance (The OAS Convention).[38] The OAS Convention has been largely superseded in scope of coverage and importance by the U.N. Convention on Internationally Protected Persons. The European Convention and the Dublin Agreement do not attempt to define terrorism. Instead, they list offenses, such as offenses under the I.C.A.O. Conventions and the U.N. Convention on Internationally Protected Persons, as well as kidnapping, hostage-taking and the use of certain lethal weapons, in an effort to exclude them from the political offense exception in the extradition process between states parties.

The European Convention is not itself an extradition agreement. Rather, it is intended to influence existing extradition arrangements - multilateral and bilateral - entered into by member states of the Council of Europe. However, while Article 1 of the Convention purports to eliminate the listed offenses from the political offense exception, Article 13 permits a state party to make reservations to Article 1:

> [P]rovided that it undertakes to take into due consideration, when evaluating the character of the offense, any particularly serious aspects of the offense, including: (a) that it created a collective danger to the life, physical integrity or liberty of persons; or (b) that it affected persons foreign to the motives behind it; or (c) cruel or vicious means have been used in the commission of the offense.

At this writing, 13 countries have ratified the European Convention.[39] Among the significant nonratifiers is France and the Mitterand government is deemed unlikely to ratify, since the French left has traditionally opposed the extradition of political offenders. Also, the Republic of Ireland has not even signed the European Convention on the debatable ground that its constitution precludes it from becoming a party. Despite these notable absent parties, the European Convention has reportedly had a positive impact on several recent extradition cases in Western Europe.

The Dublin Agreement, sponsored by the European community, attempts to tighten the application of the European Convention's extradite or prosecute formula to terrorist acts. It seeks to do this in two ways. First, under the Agreement,[40] member states of the community accept the proposition that extradition proceedings between two member states of the European convention would apply in full (i.e., without reservations) even if one or both of the states are not parties to it, or if one or both have made the political offense reservation. Second, the Agreement seeks to restrict still further the effect of such reservations between member states of the Community. Hence reservations made to the European Convention will not apply in extradition proceedings between E.C. member states, unless a further declaration to this effect is made. Also, parties to the Dublin Agreement that are not parties to the European Convention are required to indicate by declaration if they wish to retain the political offense defense in extradition proceedings between E.C. member states. However, all nine member states of the Community (as it then was) are required to ratify the convention before it comes into force, and France has expressly declined to do so.

Bilateral Agreements

In addition to the I.C.A.O. Tokyo, Hague and Montreal Conventions discussed above, there are at least seven bilateral agreements on aircraft hijacking.[41] One of the more interesting examples of the bilateral agreements is the 1973 United

States-Cuba Memorandum of Understanding on Hijacking of Aircraft and Vessels and Other Offenses.[42] It provides than any person who hijacks an aircraft or vessel registered under the law of one party to the territory of the other party shall be returned to the party of registry or "be brought before the courts of the party whose terrritory he reached for trial in conformity with its laws for the offense punishable by the most severe penalty according to the circumstances and seriousness of the acts to which this article refers."[43] Thus the Memorandum incorporates the extradite or prosecute formula but does so in a more meaningful way than do the multilateral antiterrorist conventions. Unlike the multilateral conventions, the United States-Cuba Memorandum requires that the accused actually be tried and not merely submitted "for the purpose of prosecution."

Under the United States-Cuba Memorandum, each party expressly recognizes an affirmative obligation to prevent the use of its territory as a base for committing the illegal acts covered by the Memorandum.[44] Each party must try "with a view to severe punishment" any person who "within its territory, hereafter conspires to promote, or promotes, or prepares, or directs, or forms part of an expedition which from its territory or any other place carries out acts of violence or depredation against aircraft or vessels of any kind or registration coming from or going to the territory of the other party . . . carries out such acts or other similar unlawful acts in the territory of the other party."[45]

Finally, the United States-Cuba Memorandum severely limits the extent to which the party where the hijacker arrives may take his motivation into account. It provides, in pertinent part, that there may be taken "into consideration any extenuating or mitigating circumstances in those cases in which the persons responsible for the acts were being sought for strictly political reasons and were in real and imminent danger of death without a viable alternative for leaving the country, provided there was no financial extortion or physical injury to the members of the crew, passengers, or other persons in connection with the hijacking."[46]

In 1976, Cuba denounced the Memorandum on the grounds that the United States had failed to control anti-Castro terrorists who had planted a bomb on a Cuban civilian aircraft.[47] Nevertheless, in practice Cuba has shown that hijackers still face imprisonment in Cuba or extradition to the United States.

Bilateral extradition agreements are also relevant to any consideration of law and the deterrence of international terrorism. These agreements do not contain the "extradite or prosecute formula" of the multilateral conventions. They do require the state party, where an alleged perpetrator of an extraditable offense is found, to extradite him for prosecution upon request to the state party in which the offense was alleged to have been committed. This obligation, however, is subject to a number of exceptions, including the one most pertinent to international terrorism: the political offense exception.

During the 98th Congress, considerable time was spent considering various bills[48] that would have made substantial revisions in United States extradition law, which sorely needs reform. However, none of these bills was adopted, and there appears to be little initiative at this time to resume consideration of the issue.

This statement is not the place to review the many issues that came up during debates on these bills. For present purposes, it suffices to say that many of the proposals advanced during those debates would have greatly streamlined and improved the extradition process and thereby contributed a much needed reform to efforts to combat international terrorism.

Much of the debate centered on ways to ensure that the political offense exception would not be interpreted so as to provide safe haven in the United States for international terrorists. To be sure, one should not exaggerate the political offense exception problem as a barrier to extradition of terrorists under United States law and practice. In only four cases[49] out of hundreds has the political offense exception barred the extradition of a person accused of a terrorist act. Political rhetoric to the contrary notwithstanding, the United States has not become a "haven" for international terrorists because of the approach of its courts to the political offense exception; the problem should be kept in proper perspective. Nonetheless, the problem exists and potentially could become more acute; it therefore should be resolved if possible.

With the failure of Congress to adopt legislation revising federal extradition law, the primary approach taken by the United States to resolve the problem of the political offense exception has been to insert clauses in its bilateral extradition treaties expressly narrowing the scope of the political offense exception to exclude attacks against a Head of State or Head of Government or their families and any "offense with respect to which the Contracting Parties have the obligation to prosecute or to grant extradition by reason of a multilateral international agreement."[50] Or, alternatively, a clause in a bilateral extradition treaty will reserve the decision on the political offense exception to the executive branch of the contracting parties, which, in the case of the United States, will presumably be inclined to define the scope of the political offense exception narrowly. This latter approach raises the issue, debated extensively in Congress, of whether the decision on the political offense exception should be made by the executive branch or reserved to the courts. In any event, revision of the 90 plus extradition treaties of the United States is a time consuming and laborious process as compared to dealing with the problem through legislation.

I would propose that Congress resume at an early date its efforts to revise U.S. extradition law. With respect to the exclusion of acts of international terrorism from the political offense exception, the approach might be either modest or more ambitious.

The modest approach would be simply to exclude from the political offense exception attacks on Heads of State or Heads of Government and any offense covered by an antiterrorist convention to which the United States is a party. The more ambitious approach, which I favor, would be to define international terrorism in the legislation and expressly exclude it from the political offense exception. It is important to note that a definition of international terrorism already appears in U.S. federal legislation. The Foreign Intelligence Surveillance Act defines acts of international terrorism as "activities that involve violent acts or acts dangerous to human life that are a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or any State.[51] In order to distinguish international terrorism from a great variety of other crimes, the definition goes on to require that these acts "appear to be intended (a) to intimidate or coerce a civilian pouplation; (b) to influence the policy of a government by intimidation or coercion; or (c) to affect the conduct of government by assassination or kidnapping."[52]

To ensure an international dimension, the definition requires that the acts "occur totally outside the United States or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to coerce or intimidate, or the locale in which their perpetrators operate or seek asylum."[53] This part of the definition is also intended to cover acts of "transnational terrorism," such as the kidnapping of a foreign official in the United States by a foreign terrorist group in order to affect the conduct of the foreign official's government. It would also include a United States terrorist group's placement of a bomb in a foreign airplane or its receipt of directions or substantial support from a foreign government or terrorist group.

Other definitions are possible, of course, such as the one currently employed by the U.S. Government in gathering information about international terrorism. But whatever the definition finally agreed upon, the time has come to give explicit guidance to U.S. courts to ensure that international terrorists do not escape extradition because of the political offense exception.

Express exclusion of international terrorism from the political offense exception would be a major step toward increasing the efficiency of U.S. extradition law and practice and thereby enhance the probability that international terrorists would be subject to prosecution and punishment for their crimes. The question also arises, however, whether current U.S. law and practice fully protects the fundamental rights of a person accused of terrorism who is the subject of an extradition request. As to this question, this writer agrees with Professors Barbara Ann Banoff and Christopher H. Pyle that it does not, because an accused can be extradited to a country where he would be persecuted on account of his race, religion, or political opinion under the rule of non-inquiry adopted by the U.S. judiciary.[54]

Most U.S. extradition treaties provide that extradition shall be denied if the true purpose of the request is to persecute the person sought for his political opinion, race, religion, or nationality. However, although compatibility with treaty requirements is one of the issues within their jurisdiction, the courts have consistently declined to inquire into the foreign government's motives for seeking extradition, or the fairness of its judicial system.

On the face of it, this is an anomaly, since deportation of an accused to such a country is expressly prohibited by U.S. law.[55] Moreover, it is highly debatable whether the judiciary should defer to the executive branch in cases involving claims of political persecution upon return. This writer agrees with Banoff and Pyle that "[i]n a democratic society, the judicial system is the proper institution to protect individuals from the political vagaries of governments.[56]

On October 4, 1983, the House Judiciary Committee adopted an amendment to H.R. 3347, offered by Congressman Robert W. Kastenmeier, which would abolish the rule of non-inquiry and substitute an affirmative obligation to inquire into the treatment a returned accused would be likely to receive.[57] Specifically, the amendment would prohibit exradition of an accused if that "person has established by a predonderance of the evidence that he: (i) is being sought for prosecution or punishment because of such person's race, religion, sex, nationality, membership in a particular social group or political opinion; (ii) would, as a result of extradition, be subject to fundamental unfairness."[58]

As pointed out by Professors Banoff and Pyle, the United Kingdom has adopted a statute that mandates the type of inquiry envisaged by the Kastenmeier Amendment.[59] The Fugitive Offenders Act of 1967, which applies to intra-Commonwealth extradition, provides that no one shall be returned to a requesting country if it appears that he may be "prejudiced at his trial or punished, detained or restricted in his personal liberty by reason of his race, religion, nationality or political opinions."[60]

Banoff and Pyle have also suggested a helpful list of factors that a U.S. court might consider in making an inquiry under the Kastenmeier Amendment as to whether a requesting state's judicial process is suspect:

(1) The investigation of the crime was conducted by a different law enforcement branch than that which normally conducts such criminal investigations;

(2) The decision to prosecute deviates from normal prosecutorial discretion in that country, as evidenced, for example, by the resurrection of an unenforced law;

(3) A political leader has intervened in the decision to investigate or prosecute;

(4) The defendant will be tried in a different court than that used for ordinary criminals;

(5) The defendant will be tried by a form of revolutionary tribunal;

(6) The requesting state maintains separate penal or interrogation facilities for political prisoners, and the requesting government intends to interrogate or confine the defendant in such facilities;

(7) The defendant, or a group with which he or she has been actively associated, is politically controversial or has been the target of systematic discrimination;

(8) The defendant has been the target of political surveillance, covert harassment or official criticism either in the requesting state or in the United States;

(9) The defendant has actively opposed the policies or the legitimacy of the requesting state's government, either while resident there or elsewhere, in a manner which has provoked reprisals from that government against others similarly situated;

(10) The issues involved in the case are so controversial that it is doubtful the accused could receive a fair trial or, if convicted, a fair sentence; or

(11) The requesting state cannot guarantee the physical safety of the accused if he or she is returned.[61]

Lastly, Banoff and Pyle point out that under the Kastenmeier Amendment the choice would not necessarily be betwen unconditional extradition and no extradition. Current law grants a magistrate who has to decide a political offense case only two alternatives: to grant or deny the extradition request.[62] Banoff and Pyle propose that the option of conditional orders of extradition be available to the decision maker as they are in non-political cases. They suggest, for example, that "[i]f the defendant has shown that he or she may be tried in a special court, confined under special conditions or interrogated with unusual techniques, the grant of extradition may be conditioned on the requesting state's agreement to use its ordinary courts, prisons or investigative methods.[63]

At the international level the United States should continue to pursue the negotiation or renegotiation of bilateral extradition treaties incorporating provisions that, at a minimum, would exclude attacks on Heads of State and Government as well as offenses covered by the antiterrorist conventions from the political offense exception and that ideally would define international terrorism so as to exclude terrorist acts generally. To be sure, this process will be time-consuming and involve difficult negotiations, but it is worth the effort.

On a global basis, the time may have come when the United States and like-minded countries should consider a major new initiative in the United Nations. I fully recognize and appreciate the difficulties the United States faces in that Organization. Nonetheless, as noted more fully elsewhere,[64] the United Nations has taken some constructive steps toward combating terorism, and there may be opportunities for further initiatives.

Specifically the International Law Association's Committee on international terrorism has recently completed a report - a copy of which is appended to this statement. This report, which sets forth a proposed definition of international terrorism as well or relevant principles and statements of law, might serve as the basis for a draft resolution that would be introduced in the General Assembly by a country other than the United States. The world community has probably gone about as far as it can with the piecemeal approach to combating terrorism; the time may now have come to consider a more comprehensive step.

Ideally, this step might take the form of a draft convention. But the political climitate does not appear to have evolved to the point where the drafting of a comprehensive convention on terrorism would be anything more than an exercise in futility.

The same may not be true, however, for a draft resolution, and it should be kept in mind that, in U.N. practice, a General Assembly resolution often serves as a precursor to a convention on the same subject. In any event, even if the General Assembly should fail to adopt such a resolution, a debate on the principles and statements of law expressed in it would be beneficial. As John Norton Moore has said, we are today faced with a "struggle for law."[65] The International Law Association Committee's report elaborates principles and statements of law that all states of goodwill should adopt in the effort to apprehend, prosecute and punchs international terrorists. Even if they were not to receive the UN inprimatur of approval in the form of a General Assembly resolution, a debate on these principles and statements of law might induce many states to follow them in their practice outside of the Organizations, for example, by incorporating them in national legislation and in bilateral or multilateral treaties. At a minimum the educational value of a debate on them in the General Assembly would be considerable.

As noted previously in this statement the goal is the prosecution and punishment of persons accused of terrorism in a manner consistent with their fundamental human rights. This is demonstrated most emphatically by the "extradite or prosecute" provision commonly contained in the antiterrorist conventions.

It must be remembered, however, that the extradite or prosecute formula, except for the European Convention on the Suppression of Terrorism, applies only to a limited number of crimes and not to "terrorism" per se. Hence, in many, perhaps most instances, the requested country is under no obligation to submit an accused terrorist to prosecution if it declines to extradite him.

To be sure, this conventional wisdom has been challenged by the International Law Associations' Committee on International Terrorism, which has proposed as a statement of law that "States must try or extradite (aut judicare, aut dedere) persons accused of acts of international terrorism." One may doubt whether this is a statement of existing law; but in any event, assuming arguendo that current law is as suggested by the Committee, few states are in a position to carry out their obligation. That is, while states parties to the applicable conventions have enacted legislation giving their courts jurisdiction to try persons accused, for example, of attacks against civil aviation or internationally protected persons, few have statutes on the books investing their courts with jurisdiction over international terrorism. In other words, even if international terrorism has or might become a crime subject to universal jurisdiction, states must take the additional step in their national laws to permit the exercise of such jurisdiction.

Although I have been skeptical about the desirability of a federal statute that would permit U.S. courts to exercise criminal jurisdiction over acts of international terrorism, I have come around to the view that such a statute is both desirable and needed. The arguments in favor of such a statute have recently been presented in cogent fashion by Professor Paust.[66] A basic point Paust makes is that, in the absence of such a statute, a gap exists in United States law that prevents the United States from fulfilling its responsibilities under international law to prosecute international terrorists.

In response to Paust's proposal, Professor Brent Smith has raised some troubling issues.[67] He argues that terrorism should not be defined as a distinct form of criminal activity for two basic reasons. First, "terrorism" is inherently fraught with conceptual difficulties in tying the definition of the offense to the motives or ideology of the group. Second, as demonstrated by the experience in several foreign countries, the enactment of legislation defining terrorism as a separate crime may give rise to numerous opportunities for governmental overreaction and a consequent threat to civil liberties.

These are real concerns. It should be noted, however, that the proposal is to create a crime of international terrorism under U.S. law. There is no need, and it would be dangerous, to create a crime of "terrorism" applicable to criminal acts with no international dimension. In this situation, the danger of governmental abuse could be considerable, as Smith illustrates in his discussion of "terrorist threat" statutes found in some states in the United States.[68] As to purely domestic terrorism, Smith is right in suggesting that existing legislation, both federal and state, is an adequate response.

In respect to international terrorism, however, the situation is different. International terrorism, unlike domestic terrorism, poses a threat to peaceful and prosperous relations among member states of the world community. Indeed, it is this element that most strongly supports the proposition that international terrorism is a threat to the entire world community and should be subject to the unversality principle of criminal jurisdiction.

Moreover, as Paust has pointed out in response to Smith's second argument, there are ways to avoid overly broad "terrorism-specific" statutes.[69] Specifically, Paust stresses the need for an express reference to the political purpose of the perpetrator and a terror outcome that is actually threatened or occurs. This would distinguish international terrorism, Paust suggests, from, for example, a mere aggravated assault. He suggests further that "[a] descriptive definitional approach will incorporate salient characteristics and allow one to focus on strategies of terrorism."[70] Paust would define terrorism as "any intentional use of violence or a threat of violence against an instrumental target in order to communicate to a primary target a threat of future violence so as to coerce the primary target through intense fear or anxiety in connection with a demanded political outcome."[71]

On balance the case in favor of federal legislation creating a crime of international terrorism seems convincing. Such legislation might also serve as a model for other countries to follow and might as well be a useful supplemenmt to provisions in bilateral and mulilateral extradition agreements defining international terrorism for purposes of exclusion from the political offense exception.

If such legislation were enacted in the United States and abroad, the next step might be to revise extradition treaties to incorporate an "extradite or prosecute" requirement applicable to international terrorism. This has been proposed by other commentators as well.[72]

If the United States and other countries were to adopt legislation giving their courts jurisdiction over acts of international terrorism, the need for reform regarding international judicial assistance in criminal matters would become particularly acute. The primary problem is the obligation under mutual judicial assistance treaties on the requested country to assist the requesting country in obtaining evidence for use in criminal proceedings in the requesting country does not apply if the offense charged is political. Moreover, few mutual judicial assistance treaties the United States is currently a party to expressly exclude acts of terrorism from the political offense exception.

This should be changed, and as a matter of high priority. The process of revision would basically parallel that suggested above in the section on extradition. Ideally, mutual judicial assistance treaties should contain provisions defining and expressly excluding acts of international terrorism from the political offense exception.

A Brief Word on the Problem of Safe-Haven States

One of the more disturbing developments of the 1980s is the rise of state sponsored terrorism or, as it is sometimes called, wars of assassination. This development was marked initially by the 1978 umbrella murder of Georgi Markov by Bulgarian agents in London, and more recently by such events as the North Korean sponsored bombing in Rangoon of South Korean political leaders; the attempt on the life of the Pope; the attack on Jordanian envoys on three continents by Syrian agents around the time of the Arafat-Hussein talks of 1983; the assassination of Bachar Gemayel, again by Syrian agents; the Kuwaiti bombings by Iranian agents; and the shooting of a British policewoman from the Libyian Embassy in London. Such actions amount to interstate armed conflict and should be subject to the constraints placed on the unilateral use of force by states under Article 2(4) and 51 of the United Nations Charter, as well as other applicable norms of international law.

Merely providing safe-haven to international terrorists raises more complex issues, because it is not clear that, by doing so, the state has violated any international obligation -- at least in the absence of the safe-haven state being a party to an applicable international convention. In issuing the Bonn Declaration,[73] the Summit Countries, in effect, claimed that states offering safe-haven to aircraft hijackers were violating an international obligation owed to the world community -- regardless of whether they were parties to the civil aviation conventions -- and claimed the right to apply sanctions against such states. At this writing this claim has not been extended at the interstate level beyond aircraft hijacking.

However, the report of the International Law Association Committee on International Terrorism does claim, as a matter of law, that states are obligated to extradite or prosecute those who commit acts of international terrorism. Should this claim gain wide acceptance -- either through the claim and counter-claim process of customary international law, or in the form of treaties -- the case in favor of applying economic sanctions against safe-haven states would be strengthened.

An urgent issue on the world community's agenda is how to respond to state sponsored terrorism. To the extent that states engaged in wars of assassinations and safe-haven states are one and the same, the problem of offering safe-haven becomes submerged in the larger issue.

Even with respect to those states that do not go beyond offering safe-haven to international terrorists, the need for meaningful multilateral economic sanctions is becoming more acute. This writer has been skeptical regarding the usefulness of economic sanctions against safe-haven states.[74] As time passes, however, and the diplomatic process fails to induce such states to refrain from undermining international efforts to apprehend and prosecute international terrorists, the need for more coercive measures becomes apparent. At a minimum, as suggested by Professor Lillich[75] and others,[76] where standing exists, safe-haven states should be subject to international claims challenging such practices as a violation of international law.

Conclusions and Recommendations

By way of brief summary of the points made earlier in this statement, my conclusions and recommendations regarding United States law and policy with respect to combating international terrorism are as follows:

(1) United States law relevant to intelligence gathering, analysis and dissemination should be further revised to ensure that U.S. intelligence agencies are not unduly hampered in their efforts to gather intelligence on international terrorism or to cooperate to this end with the intelligence agencies of other countries.

(2) Congress should enact legislation requiring U.S. transnational business corporations to report to Congress and the executive branch, under an appropriate injunction of confidentiality, on negotiations with terrorists and on any ransom they may pay to terrorists.

(3) Congress should resume its deliberations on revising U.S. extradition law and include in any resulting legislation a definition of international

terrorism and a directive to the courts excluding terrorism from the political offense exception. This legislation should also include a provision reserving to the courts the decision whether a particular extradition request has been made with a view to persecuting the person sought for his political opinion, race, religion, or nationality.

(4) The United States should stimulate like-minded states to introduce a resolution in the United Nations General Assembly that would define international terrorism, classify it as an international crime, and call upon member countries, upon apprehension of an international terrorist in their territory, either to extradite him to the country where he committed his crime or submit him to their own criminal justice systems for the purpose of prosecution.

(5) In keeping with the General Assembly resolution discussed above in paragraph 4, Congress should pass legislation defining international terrorism as a crime under United States law and entrust U.S. Courts with jurisdiction to try persons accused of international terrorism.

(6) The executive branch should continue and intensify its efforts to conclude international judicial assistance treaties that expressly exclude international terrorism from the political offense exception to the obligation on the requested country to assist the requesting country in obtaining evidence for use in criminal proceedings in the requesting country.

(7) The United States should continue to pursue, to the maximum extent possible, the peaceful resolution of the problem of countries that offer safe-haven or other support to international terrorists.

FOOTNOTES

1. See Alona E. Evans & John F. Murphy (eds.), Legal Aspects of International Terrorism, Lexington: Lexington Books. 1978.

2. Baxter, "A Skeptical Look at the Concept of Terrorism," 7 Akron L. Rev. 380 (1974).

3. See, e.g., Department of State, Terrorist Incidents Involving Diplomats (Aug. 1983).

4. Id.

5. See Brian M. Jenkins, Sorrell Wildhorn, Marvin M. Lavin, Intelligence Constraints of the 1970s and Domestic Terrorism, Santa Monica: Rand Corporation. 1982.

6. Pub. L. No. 95-11, § 101.92 Stat. 1783, (codified at 50 U.S. §§ 1801(c)(1) (Supp. III 1979).

7. Title V of the National Security Act of 1947, 50 U.S.C. 413.

8. See the report, "Domestic Security/Terrorism Investigations and Individual Rights Under the Justice Department's New Guidelines," prepared under the auspices of the Section of Individual Rights and Responsibilities, American Bar Association.

9. John F. Murphy, Legal Aspects of International Terrorism: Summary Report of an International Conference, St. Paul, Minn: West Publishing Co. 1980, pp. 133-14.

10. *See* Wayne A. Kerstetter, "Practical Problems of Law Enforcement," Alona E. Evans & John F. Murphy, *supra*, note 1, at 535-51.

11. On September 28, 1984, Congress adopted H. R. 5164, granting partial relief from the Freedom of Information Act to the Central Intelligence Agency by exempting from search and review under FOIA the CIA's "operational files."

12. *See* John F. Murphy, Legal Aspects of International Terrorism: Summary Report of an International Conference, *supra*, note 9, at 17-18.

13. *Id*. at 17.

14. 34 U.N. GAOR supp. (No. 39) at 23, U.N. Doc. A/34/39 (1979).

15. P.L. 98-473.

16. 18 U.S.C. § 1203.

17. See Clarence J. Mann, "Personnel and Property of Transnational Business Operations," Alona E. Evans and John F. Murphy (eds), Legal Aspects of International Terrorism, supra, note 1, at 399-491.

18. John F. Murphy, Legal Aspects of International Terrorism: Summary Report of an International Conference, supra, note 9, at 49.

19. Clarence J. Mann, "Personnel and Property of Transnational Business Operations," supra, note 17, at 454-61.

20. See S. Purnell and E. Wainstin, The Problems of U.S. Businesses Operating Abroad in Terrorist Environments, Santa Monica: Rand Corporation, 1981, at 6.

21. Convention on Offenses and Certain Other Acts Committed on Board Aircraft, done at Tokyo, Sept. 14, 1963 [1969] 20 U.S.T. 2941, T.I.A.S. No. 6768, 704 U.N.T.S. 219.

22. Convention for the Suppression of Unlawful Seizure of Aircraft, done at The Hague, Dec. 16, 1970, [1971] 22 U.S.T. 1641, T.I.A.S. No. 7192, 10 I.L.M. 133 (1971) [hereinafter cited as The Hague Convention].

23. The Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation, done at Montreal, Sept. 23, 1971, [1973] 24 U.S.T. 565, T.I.A S. No. 7570, 10 I.L.M. 1151 (1971).

24. Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Agents, done at New York, Dec. 14, 1973, [1976-77] 28 U.S.T. 1975, T.I.A.S. No. 8532, G.A. Res. 3166, 28 U.N. GAOR Supp. (No. 30) at 146, U.N. Doc. A/9030 (1974).

25. International Convention Against the Taking of Hostages, 34 U.N. GAOR Supp. (No. 39) at 23, U.N. Doc. A/34/39 (1979), reprinted in 18 I.L.M. 1456 (1979).

26. Convention on Protected Persons, supra note 24, Art. 4.

27. Id. Art. 5, Para. 2.

28. Id. Art. 6.

29. Id. Art. 10.

30. The following description in the text is taken from John F. Murphy, "Legal Controls and the Deterrance of Terrorism: Performance and Prospects," Rutgers Law Journal, Vol. 13 (1982), pp. 465, 471-73.

31. Article 12 of the Hostages Convention provides:

> Insofar as the Geneva Conventions of 1949 for the Protection of War Victims or the Additional Protocols to those Conventions are applicable to a particular act of hostage-taking, and insofar as States Parties to this Convention are bound under those Conventions to prosecute or hand over the hostage-taker, the present Convention shall not apply to an act of hostage-taking committed in the course of armed conflicts as defined in the Geneva Conventions of 1949 and the Protocols thereto, including armed conflicts, mentioned in Article I, paragraph 4 of Additional Protocol I of 1977, in which peoples are fighting against colonial domination and alien occupation and against racist regimes in the exercise of their right of self-determination, as enshrined in the charter of the United Nations and the Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States in Accordance with the Charter of the United Nations.

32. Geneva Convention Relative to the Protection of Civilian Persons in Time of War, done at Geneva, Aug. 12, 1948, Art. 147, [1956] 6 U.S.T. 3516, T.I.A.S. No. 3365, 75 U.N.T.S. 287.

33. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, done at Washington, London, and Moscow, Apr. 19, 1972, [1975] 26 U.S.T. 583, T.I.A.S. No. 8062.

34. Convention on the Physical Protection of Nuclear Material, done at Vienna, Oct. 26, 1979, opened for signature, Mar. 3, 1980, reprinted in International Legal Materials, Vol. 18 (1979), pp. 1419, 1422-31 (1979).

35. *See* Alona E. Evans, "Aircraft and Aviation Facilities," in Alona E. Evans & John F. Murphy, eds., *Legal Aspects of International Terrorism*, Lexington: Lexington Books, 1978, at p. 3-147.

36. European Convention on the Suppression of Terrorism, *entered into force* Oct. 25, 1978, art. 4, 1978 Gr. Brit. T.S. No. 93 (Cmd. 7390), Europ. T.S. No. 90, *reprinted in International Legal Materials*, vol. 15 (1976), p. 1272.

37. The Agreement on the Application of the European Convention for the Suppression of Terrorism (the Dublin Agreement). *International Legal Materials*, vol. 19 (1980), p. 325.

38. The Convention to Prevent and Punish the Acts of Terrorism Taking the Forms of Crimes Against Persons and Related Extortion that are of International Significance, *done at* Washington, Feb. 2, 1971, [1971] 237 U.S.T. 3949, T.I.A.S. No. 8413, O.A.S.T.S. No. 37, at 6, O.A.S. Off. doc. OEA/Ser. A/17.

39. See appendix 2, Fourth Interim Report of the Committee on International Terrorism, International Law Association, *Report of the Sixtieth Conference*, Canada, (1982) pp. 349, 358.

40. The Dublin Agreement, *supra* note 20, arts. 1-3.

41. Cuba has agreements with Canada, Mexico, Venezuela and Colombia; the Soviet Union has agreements with Iran, Finland and Afghanistan. *See* Evans, "Aircraft and Aviation Facilities," *supra* note 35, at 20, 21, 25.

42. Memorandum of Understanding on Hijacking of Aircraft and Vessels and Other Offenses, *entered into force*, Feb. 15, 1973, Cuba-United States, 24 U.S.t. 737, T.I.a.s. No. 7579. The Memorandum was denounced by Cuba on the ground that the United States has failed to control anti-Castro terrorists who had planted a bomb on a Cuban civilian aircraft. *See* Editorial, Washington Post, Oct. 19, 1976, at A 18, col. 1.

43. United States-Cuba Memorandum *supra*, note 42, Art. 1.

44. *Id*. art. 2.

45. *Id*.

46. *Id*. art 4.

47. *See supra*, note 39.

48. _See_, _e.g._, S.220 and H.R. 3347.

49. _In re McMullen_, Mag. No. 3-78-1099 MG (N.D.Cal. May 11, 1979) (unreported); _Mackin v. Grant_, 668 F.2d 122 (2d Cir. 1981); _Quinn v. Robinson_, No. C- 82-6688 RPA, Oct. 3, 1983 (unreported); at this writing the case is on appeal to the Ninth Circuit; _In re Doherty_, 83 Cir. Misc. 1, December 12, 1984 (unreported).

50. Article 4(2) of the U.S.-Costa Rica Extradition Treaty, ratified by the United States on August 17, 1984, Treaty Doc. No. 98-17.

51. 50 U.S.C. § 1801(c)(1) (Supp. III 1979).

52. _Id_. § 1801(c)(2).

53. _Id_. § 1801(c)(3).

54. _See_ _In re Ezeta_, 62 F.972 (N.D. Cal. 1894); _Jimenez v. Aristequita_, 311 F.2d 547 (5th Cir. 1962); _Garcia-Guillern v. United States_, 540 F.2d 1189 (5th Cir. 1962). But cf. _In re Mylonas_, 187 F. supp. 716 (N.D. Ala. 1960).

55. 8 U.S.C. § 1253 (1970 & Supp. 1984).

56. Banoff and Pyle, "To Surrender Political Offenders": The Political Exception to Extradition in United States Law, 16 N.Y.U. J. INT'L L. & POL. 169, 210 (1984).

57. Id. at 199.

58. Id.

59. Id. at 202.

60. Fugitive Offenders Act, 1967, ch. 68, § 4(1).

61. Banoff and Pyle, supra,. note 11 at 202-03.

62. Id. at 205.

63. Id. at 206.

64. J.F.MURPHY, THE UNITED NATIONS AND THE CONTROL OF INTERNATIONAL VIOLENCE 175-202 (1982).

65. John Norton Moore, Walter L. Brown Professor of Law at the University of Virginia, has made this point at a number of conferences in which the author has participated.

66. See E. PALMER, THE AUSTRIAN LAW ON EXTRADITION AND MUTUAL ASSISTANCE IN CRIMINAL MATTERS 32 (1983).

67. Paust, Federal Jurisdiction Over Extraterritorial Acts of Terrorism and Nonimmunity for Foreign Violators of International Law Under the FSIA and the Act of State Doctrine, 23 VA J. INT'L L. 191 (1983).

68. Smith, Antiterrorism Legislation in the United States: Problems and Implications, 7.2 TERRORISM: AN INTERNATIONAL JOURNAL 213 (1984).

69. See also, Validity and Construction of "Terroristic Threat" Statutes, 58 ALR 3d 533 (1972).

70. Paust, Terrorism and "Terrorism-Specific" Statutes, 7.2 TERRORISM: AN INTERNATIONAL JOURNAL 212 (1984).

71. Id.

72. Paust, Terrorism and the International Law of War, 64 MIL. L. REV. 1 (1974).

73. See C. VAN DEN WIJNGAERT, THE POLITICAL OFFENSE EXCEPTION TO EXTRADITION (1980).

74. See Murphy, State Self Help and Problems of Public International Law, A.E. EVANS & J.F. MURPHY (eds.) LEGAL ASPECTS OF INTERNATIONAL TERRORISM 553, 565 (1977).

75. Lillich & Paxman, State Responsibility for Injuries to Aliens Occasioned by Terrorist Activities, 26 AM. U.L. REV. 217 (1977).

76. Rubin, Current Legal Approaches to International Terrorism, in TERRORISM, POLITICAL VIOLENCE AND WORLD ORDER 433 (H.H. HAN ed. 1984).

International Law Association Paris Conference (1984)

Committee on International Terrorism

COMMITTEE REPORT

Part I. Introduction

1. The Committee on International Terrorism, after presenting its Fourth Interim Report at the 60th Conference in Montreal, decided to consolidate its work in a form that could lead to a draft convention clarifying the general international law that applies to international terrorism today. While some members of the Committee believed that it would be useful to continue with various approaches that avoided problems of definition, others felt that it would be more useful to return to a more traditional approach beginning with a statement of principle, a working definition, and a statement of the applicable rules of law that come into play as a result of actions involving international terrorism as so defined.

2. A quorum of the Committee met on 1–3 November 1983 at the Fletcher School of Law and Diplomacy, Tufts University, Medford, Massachusetts, U.S.A., with the generous help of the Pettus-Crowe Foundation and the family of the late Ambassador Philip Crowe.

3. At that meeting all points of view were presented and a vigorous discussion resulted in the unanimous recommendation

This committee report will be presented at the Sixty-First Conference of the International Law Association, to be held in Paris in 1984.

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that the principles, working definition, and statements of law set out in Part II below be reported in the form of a Resolution to the 61st Conference the text of which is in Part III below.

4. The explanatory notes in Part II were added by the Rapporteur after a consensus was reached on the operative text set out below, and some members of the Committee, participating in the overall consensus, have reservations as to the wording of some of the explanatory comments.

5. Dr. J. Lador-Lederer dissents from the entire Report.

Part II. Operative Text and Explanations

1. Statement of Principle

Certain acts are so reprehensible that they are of concern to the international community, whether they are perpetrated in time of peace or war, irrespective of the justice of the cause which the perpetrators pursue, and regardless of political motivation. All such acts must be suppressed.

EXPLANATION. This statement is derived from Principle I of the Principles of International Law Recognized in the Charter and Judgment of the Nuremberg Tribunal, adopted by the United Nations General Assembly in 1950 (U.N., G.A.O.R., 5th session, supp. no. 12, Doc. A/1316, p. 11). That Principle applies to crimes against the peace and crimes against humanity as well as the more traditional war crimes. It is suggested that the underlying principle, stated here, is applicable even more broadly.

2. Working Definition

The acts referred to in the Statement of Principle include acts defined as offenses of international significance in treaties as well as acts of international terrorism. Acts of international terrorism include but are not limited to atrocities, wanton killing, hostage taking, hijacking, extortion, or torture committed or threatened to be committed whether in peacetime or in wartime for political purposes provided that an international element is involved. An act of terrorism is deemed to have an international element when the offense is committed within the jurisdiction of one country:

(a) against any foreign government or international organization, or any representative thereof; or
(b) against any national of a foreign country because he is a national of a foreign country; or
(c) by a person who crosses an international frontier into another country from which his extradition is requested.

EXPLANATION. To be classified as "international terrorism" for the purposes of applying the rules of law set out here, an act must be so reprehensible or so disruptive of the fabric of society that no motivation or political subordination can excuse it. The acts listed here as illustrative include acts which violate all known municipal criminal law codes and which, if done in wartime, would seem to be violations of the laws of war. In the absence of an international element, all these acts are properly handled by each state for itself. When an international element is involved, the suppression of these and similar acts becomes a matter of international concern. Three situations are envisaged in which the international element must be deemed to exist.

3. Combatant Status No Exculpation

(a) The claim of combatant status does not legitimize an act of international terrorism.
(b) No state may permit a person to escape trial or extradition for an act of international terrorism, on the ground that that person should be regarded as a combatant, if the act is illegal under the laws of armed conflict.

EXPLANATION. As noted in the Working Definition, the acts of international terrorism are qualified as such whether committed in peacetime or wartime. Thus attempts to avoid the legal results of committing such offenses should be rejected when those attempts are based upon the claim of combatant status or the claim that the acts constitute a "mere" war crime rather than international terrorism.

4. Political Motivation No Exculpation

No state may legally permit a person who has committed an act of international terrorism to escape trial or extradition on the ground of his political motivation.

EXPLANATION. The legal obligation of a state to try or extradite some persons regardless of their political motivations already exists in the case of some offenses, such as aircraft hijacking, where the usual political offense exception to bilateral extradition treaties has been felt to be inappropriate. The Committee concluded that international terrorism as defined above requires similar handling by states.

5. International Competence over Individuals

Acts of international terrorism, no less than crimes against humanity, are violations of international law by individuals regardless of motivation or political context.

EXPLANATION. Principle VI of the Principles of International Law Recognized in the Charter and Judgment of the Nuremberg Tribunal defines crimes against humanity to include various reprehensible acts only when carried on in execution of or in connection with a crime against the peace or war crime. It seems to be part of the progressive development of the conscience of mankind in peacetime to accept international concern over the identical acts and others added by international consensus and practice to the class "crimes against humanity", bearing the same legal consequences for individual perpetrators. The acts listed as illustrative in the Working Definition above would seem to fall into that category regardless of whether the status of war or of peace is considered to govern.

6. Superior Orders No Defence

The official position of an accused or the existence of superior orders is no defence to a person accused of an act of international terrorism.

EXPLANATION. Individual responsibility and the ineffectiveness of the plea of superior orders when moral choice is in fact possible are stated in Principles III and IV of the Principles of International Law Recognized in the Charter and Judgment of the Nuremberg Tribunal. The Committee concluded that the same principles were applicable to cases of international terrorism as defined above for purposes of this statement of rules of law.

7. Aut Judicare Aut Dedere

States must try or extradite *(aut judicare aut dedere)* persons accused of acts of international terrorism. No state may refuse to try or extradite a person accused of an act of international terrorism, war crime, common crime which would be a war crime but for the absence of a legal status of belligerency, or a crime against humanity, on the basis of disagreement as to which of these legal categories properly applies to the situation.

EXPLANATION. A fundamental legal principle requires that an accused be informed of the charges against him and be given an opportunity to respond. That principle applies both to cases of trial within a single country and to extradition from one country to another. Awkward situations can arise when, in an extradition proceeding, the state requesting extradition and the state with custody of the accused differ as to the legal qualification of the facts, even when there is no dispute as to fact and the different qualifications lead to the same result. The rule stated here as corollary to the basic obligation to try or extradite *(aut judicare aut dedere)* does not require that states agree on the precise category in which to classify the acts, but leaves to the individual states concerned the decision as to how best to interpret a particular extradition agreement to avoid a failure of the enforcement system of the law. As long as the accused is fully informed of the facts on the basis of which his trial or extradition is sought, and the legal consequences to him if those facts are proved in the appropriate way before the appropriate tribunal, no violation of that fundamental principle can be involved. The problem is a routine problem of extradition between states whose criminal codes and procedures differ, and should not be regarded as posing extraordinary obstacles in the case of particularly reprehensible acts of international concern, international terrorism.

8. State Support for International Terrorism Forbidden

No state may afford support to a person or group engaged or preparing to engage in acts of international terrorism.

EXPLANATION. In some cases, support for acts which might be regarded as acts of international terrorism could be considered aggression under the United Nations General Assembly's consensus definition of April 1974 (U.N. Doc. A/Ac. 134/1.46, articles 3(f) and (g)). In other cases, such support might be an interference in the internal affairs of another state. No situation could be envisaged in which state support for persons or groups engaged or preparing to engage in the acts included above in the Working Definition of international terrorism would not violate basic rules of international law.

9. Due Diligence Required

A state is legally obliged to exercise due diligence to prevent the commission of acts of international terrorism within its jurisdiction.

EXPLANATION. This statement codifies a basic principle of international tort liability. Its applicability to international terrorism has been convincingly argued in Lillich & Paxman, "State Responsibility for Injuries to Aliens Occasioned by Terrorist Activities," 26 American University Law Review 219 (1977).

10. International Communication and Transportation of Universal Legal Concern

Acts of international terrorism directed against the means of international transportation which by treaty or international practice are open to international traffic, are of legal interest to all states. No state may legally refuse to participate in measures to safeguard those means from acts of international terrorism on the ground of lack of legal interest.

EXPLANATION. This statement expresses the special interest of the international community in protecting the means of international communication and transportation partially evidenced in the wide adoption of the Tokyo Convention on Offenses and Certain Other Acts Committed on Board Aircraft, 14 September 1963, 704 U.N.T.S. 219; the Hague Convention on the Suppression of Unlawful Seizure of Aircraft, 16 December 1970, 860 U.N.T.S. 105; the Montreal Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation, 23 September 1971, 24 U.S.T. 564, U.K.T.S. No. 10 (1974); and the Lausanne Protocol of 5 July 1974, which was the second additional protocol to the Vienna Constitution of the Universal Postal Union dated 10 July 1964. The importance of stating the legal interest of all states in measures to safeguard those means from international terrorism flows from the restrictive view of legal interest taken by the International Court of Justice in the *South West Africa Cases, Second Phase* [1966] I.C.J. 6.

11. Organs of Communication and Diplomatic and Consular Establishments of Universal Legal Concern

Acts of international terrorism directed against official organs of communication, including diplomatic and consular establishments, special missions, and the people engaged in maintaining them, are of legal interest to all states. No state may legally refuse to participate in measures to safeguard those organs and people from acts of international terrorism on the ground of lack of legal interest.

EXPLANATION. This statement expresses the special interest of the international community in protecting official organs of communication such as those the subject of the United Nations Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Agents, dated 14 December 1973. The importance of stating the legal interest of all states in measures to safeguard those organs from international terrorism flows from the restrictive view of legal interest taken by the International Court of Justice in the *South West Africa Cases, Second Phase* [1966] I.C.J. 6.

12. Specially Dangerous or Poisonous Materials of Universal Legal Concern

Acts of international terrorism involving the possession, diversion or use of specially dangerous or poisonous materials contrary to applicable national law or treaty, particularly nuclear materials, psychotropic drugs, and any materials made the subject of the 1972 Convention on the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, are of legal concern to all states. No state may refuse to participate in measures to safeguard such materials on the ground of lack of legal interest.

EXPLANATION. This statement expresses the special interest of the international community in protecting specially dangerous materials from diversion to the use of international terrorists. It incorporates the principles that underlie the 1972 Convention cited in its text, the IAEA Convention on the Physical Protection of Nuclear Material dated 26 October 1979, 18 *International Legal Materials* 1419 (1979), and various conventions and agreements relating to control of the international traffic in narcotic drugs. The concern of this rule is not the enforcement of municipal law as such, but with keeping specially dangerous substances and poisons out of the armoury of international terrorism. Thus, it is important to state the legal interest of all states in the matter.

13. State Responsibility

Breach of any of these rules entails state responsibility.

EXPLANATION. It seems important to the Committee that the responsibility of states be engaged directly in the enforcement of the rules set forth above. Mere statements of rules with no provisions for who is responsible to enforce them would be an empty gesture.

14. Continuity of General Legal Obligations

The existence of international agreements under which rules parallel to these are enunciated, or specific obligations undertaken by the parties to take action to implement some of these obligations, does not imply the weakening of any obligations resting on general international law either for the parties to any of these agreements or for non-parties, unless specifically so provided among the parties in such an agreement.

EXPLANATION. General obligations owed to the international community cannot be discharged by accepting specific obligations only to some members of that community. The problem of international terrorism appears serious enough to the international community as a whole that it seems appropriate to restate the continued existence of the general obligation regardless of specific agreements that deal with parts of it.

Part III. Concluding Observations

1. With the presentation of this Report, the Committee on International Terrorism completes more than ten years of work within the International Law Association. In the course of its labours, a draft Convention was presented (Third Interim Report, Belgrade, 1980); an entirely new approach was offered sidestepping the difficulties of formulating a new Convention (Fourth Interim Report, Montreal, 1982); and now a statement of Principle, a Working Definition, and Rules of Law suitable for reduction to the language of a single overall Convention are proposed.

2. While the Committee is convinced that useful approaches have been prepared for the contemplation of statesmen attempting to grapple with the problem of international terrorism, it is not clear to the Committee that further work along the current lines will repay the effort involved.

3. Accordingly the Committee requests guidance from the Assembly of the International Law Association with regard to its future activities, if any. The Committee is prepared to continue its efforts by reducing the Principle, Working Definition, and Rules of Law presented here to the form of a draft Convention, if desired.

Part IV. Proposed Draft Resolution at 61st Conference

The 61st Conference of the International Law Association held in Paris, 26th August—1st September 1984:—

Having received and considered the Report of the Committee on International Terrorism;

Approves and adopts the statement of the Rules of International Law Applicable to International Terrorism recommended in the Committee's Report as follows:

Article 1 Statement of Principle

Certain acts are so reprehensible that they are of concern to the international community, whether they are perpetrated in time of peace or war, irrespective of the justice of the cause which the perpetrators pursue, and regardless of political motivation. All such acts must be suppressed.

Article 2 Working Definition

The acts referred to in the Statement of Principle include acts defined as offences of international significance in treaties as well as acts of international terrorism. Acts of international terrorism include but are not limited to atrocities, wanton killing, hostage taking, hijacking, extortion, or torture committed or threatened to be committed whether in peacetime or in wartime for political purposes provided that an international element is involved. An act of terrorism is deemed to have an international element when the offence is committed within the jursidiction of one country:

(a) against any foreign government or international organization, or any representative thereof; or

(b) against any national of a foreign country because he is a national of a foreign country; or

(c) by a person who crosses an international frontier into another country from which his extradition is requested.

Article 3 Combatant Status no Exculpation

(a) The claim of combatant status does not legitimize an act of international terrorism.

(b) No state may permit a person to escape trial or extradition for an act of international terrorism, on the ground that that person should be regarded as a combatant, if the act is illegal under the laws of armed conflict.

Article 4 Political Motivation No Exculpation

No state may legally permit a person who has committed an act of international terrorism to escape trial or extradition on the ground of his political motivation.

Article 5 International Competence over Individuals
Acts of international terrorism, no less than crimes against humanity, are violations of international law by individuals regardless of motivation or political context.

Article 6 Superior Orders No Defence
The official position of an accused or the existence of superior orders is no defence to a person accused of an act of international terrorism.

Article 7 Aut Judicare Aut Dedere
States must try or extradite *(aut judicare aut dedere)* persons accused of acts of international terrorism. No state may refuse to try or extradite a person accused of an act of international terrorism, war crime, common crime which would be a war crime but for the absence of a legal status of belligerency, or a crime against humanity, on the basis of disagreement as to which of these legal categories properly applies to the situation.

Article 8 State Support for International Terrorism Forbidden
No state may afford support to a person or group engaged or preparing to engage in acts of international terrorism.

Article 9 Due Diligence Required
A state is legally obliged to exercise due diligence to prevent the commission of acts of international terrorism within its jurisdiction.

Article 10 International Communication and Transportation of Universal Legal Concern
Acts of international terrorism directed against the means of international transportation which by treaty or international practice are open to international traffic, are of legal interest to all states. No state may legally refuse to participate in measures to safeguard those means from acts of international terrorism on the ground of lack of legal interest.

Article 11 Organs of Communication and Diplomatic and Consular Establishments of Universal Legal Concern
Acts of international terrorism directed against official organs of communication, including diplomatic and consular establishments, special missions, and the people engaged in maintaining them, are of legal interest to all states. No state may legally refuse to participate in measures to safeguard those organs and people from acts of international terrorism on the ground of lack of legal interest.

Article 12 Specially Dangerous or Poisonous Materials of Universal Legal Concern
Acts of international terrorism involving the possession, diversion or use of specially dangerous or poisonous materials contrary to applicable national law or treaty, particularly nuclear materials, psychotropic drugs, and any materials made the subject of the 1972 Convention on the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, are of legal concern to all states. No state may refuse to participate in measures to safeguard such materials on the ground of lack of legal interest.

Article 13 State of Responsibility
Breach of any of these rules entails state responsibility.

Article 14 Continuity of General Legal Obligations
The existence of international agreements under which rules parallel to these are enunciated, or specific obligations undertaken by the parties to take action to implement some of these obligations, does not imply the weakening of any obligations resting on general international law either for the parties to any of these agreements or for non-parties, unless specifically so provided among the parties to such an agreement.

Requests the Secretary-General of the International Law Association to transmit the Report of the Committee on International Terrorism to the Secretary-General of the United Nations for further distribution to the delegations of all countries represented in the United Nations.

[**Requests** the Committee on International Terrorism to draft an instrument embodying detailed rules based upon this statement contained in the Report of the Committee as approved and adopted here, for eventual adoption in binding form by states or for other use in international correspondence and by concerned international tribunals in cases of international terrorism.]

31 January 1984

Senator **Denton**. Thank you, Professor Murphy. That was very useful.

Mr. Jenkins.

STATEMENT OF BRIAN JENKINS, RAND CORP.

Mr. **Jenkins**. Thank you.

In the interest of time, I shall only emphasize a few points made in an article which earlier appeared in an issue of Armed Forces Journal, and ask that the text of that article be included in the record.

Senator **Denton**. Without objection, it is so ordered.

[The material referred to follows:]

/From the Armed Forces Journal International/April 1985/

The US Response to Terrorism: A Policy Dilemma

by Brian Michael Jenkins

In a speech he made in February, Secretary of State George Shultz said, "International terrorism has rapidly become one of the gravest challenges to American interests around the world. In the Middle East, in Latin America, and in Western Europe, we have suffered heavy casualties, and the threat has not diminished!"

Most *Journal* readers are familiar with the Secretary of State's speech in New York last fall when he warned that in response to further state-sponsored terrorist attacks, the US might be compelled to resort to military force. This action, he warned, might have to be taken "before each and every fact is known or on evidence that would not stand up in an American court." He further warned that such military action could result in casualties among American Service personnel and, potentially, among civilians.

This article will review the recent trends that have provoked such a statement, briefly speculate about the future course of terrorism, and then return to some of the policy problems that the US faces.

In reviewing the history of terrorism over the last 15 years, one immediately confronts a paradox: Despite the increasing effectiveness of governments in combating terrorists, the total volume of terrorism has increased.

Ill-prepared and uncertain how to confront the terrorist threat in the early 1970s, governments have become more rigorous *and* more effective in combating terrorist elements. Fewer governments are as inclined as they were 10 years ago to release captured terrorists simply to avoid further terrorist attacks. Most governments have adopted policies of "no concessions, no negotiations" in dealing with hostage situations.

Physical security around the likely targets of terrorist attacks has increased. It is more difficult now, although still possible, to smuggle weapons aboard airliners. Embassies are becoming virtual fortresses. Diplomats and top executives often travel in armored limousines with armed bodyguards. The collection and analysis of intelligence has improved. At the same time, behavioral research has increased our knowledge of the terrorists' mind-set, although this remains a "dark continent" in our overall mapping of the terrorist phenomenon.

Governments have skillfully used conditional pardons or amnesties to induce at least some terrorists to provide information about their comrades at large. International cooperation, although it leaves much to be desired, has progressed. As a result of these achievements, thousands of terrorists are in jail worldwide. Some groups have been virtually destroyed. Others are harassed by authorities and are beginning to show the strains of a long struggle.

Terrorists continue to search for new constituencies. Groups in Western Europe currently see possible support in antinuclear, anti-NATO sentiments. In the absence of success, the utility of terrorist tactics is debated. Some terrorists, in despair, have dropped out. Others have defected. Those in prison write manifestos, proselytize among other prisoners, go on hunger strikes, and continue their struggle.

As a result of their own success, governments now face new problems. They fear that terrorists in prison may create a new generation of terrorists, or at least politicized criminals. Many terrorists jailed in the early Seventies are nearing the end of their sentences; some remain committed to the struggle. Will they go back into terrorism upon their release?

Despite the undeniable success of governments, the total volume of international terrorism increases. It is an irregular line with peaks and valleys, but the trajectory is clearly upward. Terrorism is not only increasing in volume, but is getting bloodier. Since 1977, the number of international terrorist incidents resulting in fatalities has increased each year. That terrorists seem to be less and less reluctant to inflict casualties is evidenced by the growing number of large-scale, indiscriminate attacks. Part of this increase in the 1980s can be attributed to the high level of violence in Lebanon, but even subtracting Lebanon from the total leaves a rising toll of terrorist mayhem.

Why has terrorism escalated? There are many reasons:

- As in war, the long terrorist struggle has brutalized the participants, some of whom have been in the field for over 10 years.
- Terrorists can no longer achieve the same shock effect or obtain the same publicity with the same tactics they used 10 years ago. Staying in the headlines requires acts of greater violence.

Brian Jenkins is one of the world's leading authorities on international terrorism. He currently directs The Rand Corporation's research program on subnational conflict and political violence. He also has served as a consultant to a number of US government agencies and major corporations.

Before coming to Rand, Jenkins, a former captain in the US Army Special Forces, served in the Dominican Republic during the American intervention and later in Vietnam where he was on several occasions decorated for valor in combat.

- Terrorists have become technically more proficient.
- The composition of terrorist groups has changed over time. We know now that each escalation in violence provokes debate and some dissension within terrorist ranks. Those who have the most doubts drop out, defect, or are shoved aside by more ruthless men. Eventually, the killers dominate.
- An important element in the Middle East is the religious factor. As we have seen, certain extreme sects believe that the sanction of God permits acts of great destruction and self-destruction.

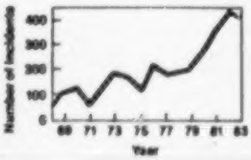
Terrorists operate with a limited repertoire. Six basic tactics account for 95% of all terrorist attacks: bombings, which alone account for half of all terrorist incidents; assassinations; armed assaults; kidnappings; hijackings; and barricade and hostage situations. Terrorists tend to be more imitative than innovative, but there have been a few changes.

Barricade and hostage situations, primarily in the form of embassy seizures, a fashionable terrorist tactic in the 1970s, have declined in the 1980s. Among the reasons for this:

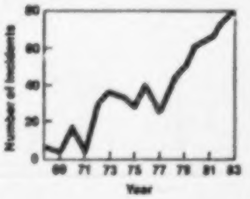
- Heavier security has made embassy takeovers more difficult.
- Governments have become more resistant to the demands of terrorists holding hostages. A 1980 Rand Corporation study of embassy takeovers in the 1970s showed that the likelihood of terrorists having their demands met dropped by nearly 50% in the second half of the decade.
- As governments increasingly used force rather than concessions to end hostage episodes, the danger to the terrorists increased. In the early 1970s, most terrorist hostage-takers got away. By 1980, half the terrorists who took over embassies were killed or captured.

But while embassy seizures declined, attacks on embassies and diplomats increased, primarily in the form of assassinations and bombings. As terrorist bombs grew in size, terrorists faced a delivery problem. Their solution to it was to put the

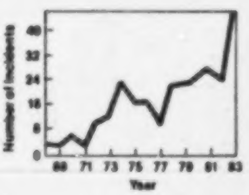
Number of International Terrorist Incidents



International Terrorist Incidents with Fatalities



International Terrorist Incidents with Multiple Fatalities



bomb on wheels and drive it *to*, or, if the driver was suicidal, drive it *into* the target.

A growing number of governments themselves are using terrorist tactics, employing terrorist groups, or exploiting terrorist incidents as a mode of surrogate warfare. These governments see in terrorism a useful capability, a "weapons system," a cheap means of waging war. Terrorists fill a need. Modern conventional war is increasingly impractical. It is too destructive. It is too expensive. World and sometimes domestic opinion imposes constraints. Terrorism offers a possible alternative to open armed conflict. For some nations unable to mount a conventional military challenge, terrorism is an "equalizer."

As we began to perceive 10 years ago, we may be on the threshold of an era of armed conflict in which limited conventional warfare, classic guerrilla warfare, and international terrorism will coexist, with both government and subnational entities employing them—as well as being required to combat them—individually, interchangeably, sequentially, or simultaneously.

Warfare in the future may be less destructive than in the first half of the Twentieth Century, but also less coherent. Warfare may cease to be finite. The distinction between war and peace may dissolve. Given these developments, armed conflict will not be confined by national frontiers. Local belligerents will mobilize foreign patrons. Terrorists will attack foreign targets both at home and abroad. The US will have to develop capabilities to deal with all three modes of armed conflict.

Growing state-sponsorship of terrorism has serious consequences. It puts more resources in the hands of the terrorists: money, sophisticated munitions, intelligence, and technical expertise. It also reduces the constraints on them, permitting them to contemplate large-scale operations without worrying so much about alienating perceived constituents or provoking public backlash.

One can see the consequences by comparing the actions of state-sponsored groups with those groups that receive little or no state support:

- The state-sponsored groups are eight times more lethal.
- They range wider in their operations.
- Without the need to finance themselves through bank robberies or kidnappings, steal weapons from arsenals, or carry out operations just to maintain group cohesion, state-sponsored groups operate less frequently.
- Because their financial needs are met by a government, they attack business targets less frequently.
- They attack Americans about as frequently as groups having little state support.

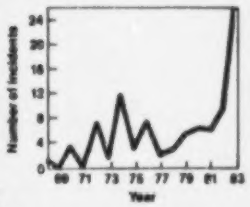
If we simply average what we have seen during the last four years, then during the next four years, without projecting any escalation, we may anticipate several hundred terrorist attacks against US citizens and facilities abroad. Thirty to 40 of these will likely result in fatalities.

Four to eight of them will likely have major consequences in that they will involve:

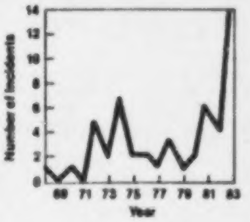
- significant loss of American lives, or the threat of significant loss of life;
- international crisis;
- hard policy choices; and
- consequences beyond the immediate event.

If recent trends are projected, the situation could be worse.

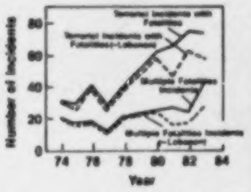
International Terrorist Incidents Resulting in 5 or More Fatalities



International Terrorist Incidents Resulting in 10 or More Fatalities

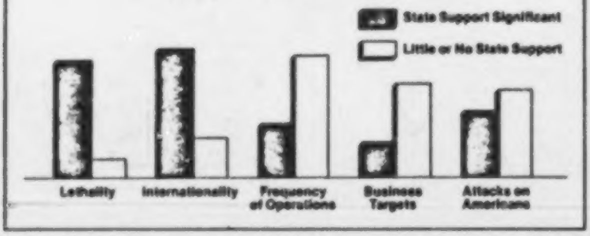


The Impact of Beirut on International Terrorism



NOTE that scales differ on *all* charts.

A Comparison of State-Sponsored Terrorism with Ordinary Terrorism



In combating terrorism, we operate in a difficult international environment. Five countries are on the receiving end of half of all international terrorist attacks: the US, France, Israel, the United Kingdom, and Turkey. Ten countries bear the brunt of three-quarters of all international terrorism. Thus not all countries feel as threatened by terrorism as we do or share our sense of urgency about the problem.

Nor do all countries agree on the definition or the illegitimacy of terrorist tactics. Indeed, there has been an insidious trend toward legitimizing terrorism. This can be seen in the definitions of terrorism offered in international forums and in the efforts to extend the rights accorded to privileged combatants by the Geneva Conventions on war to irregulars who may not be obliged to separate or distinguish themselves from the civilian population.

In the US, it has been difficult to sustain government programs against terrorism although the October 23, 1983 bombing of the US Marine Corps headquarters in Beirut changed that somewhat. US government interest in the problem tends to be spasmodic, driven by infrequent spectacular episodes. In between, the issue sinks on government agendas.

In combating terrorism abroad, the US faces a two-fold problem. On the one hand, it confronts what has by now become "ordinary" terrorism. It is a diverse threat. A multitude of terrorist groups, for various reasons, have attacked US targets in 72 countries since 1968. The location of the principal threat shifts with time, roughly reflecting the course of political violence in the world. This "ordinary" terrorism has little impact on US policy. Local governments where these attacks have occurred tend to be cooperating in protecting foreign nationals and have vigorously pursued local terrorists. In dealing with this type of terrorism, the US response is primarily defensive.

State-sponsored terrorism poses a different problem. Here the US confronts a campaign of terrorism instigated and directed by a handful of state sponsors, concentrated now in the Middle East, but which could include others in the future. It is a much deadlier violence and potentially can have much greater impact on US policy in the manner of the Beirut bombing. For economic and political reasons, US allies often are reluctant to join this battle.

In either case, the US has to think about how it can develop and articulate a doctrine of the "best achievable security," realizing that in today's world of political violence and "grey-area" warfare, it is necessary to accept some risks, and that every terrorist success does not represent a failure of the US government.

Will the US employ force to preempt or retaliate for terrorist attacks? It has declared that it will, but political, operational, and institutional constraints limit her force options. That poses a dilemma: State-sponsored terrorist attacks are likely to continue; lack of action to back up US words will increase perceptions of US impotence.

> **Terrorists can no longer achieve the same shock effect or obtain the same publicity with the same tactics they used 10 years ago. Staying in the headlines requires acts of greater violence.**

Some have suggested that the US follow a policy similar to Israel's. After all, Israel has dealt with this problem for years, frequently with force. But there are some significant differences between Israel and the US. Israel considers itself at war; technically it *is* still at war with some of the Arab countries that surround it. The US does not consider itself at war. Reprisal is an integral part of Israeli military doctrine and practice; it is not part of the US'. Israel's terrorist adversaries and their state sponsors are adjacent to Israel's frontier. The Middle East is at the end of the US' reach. Israel's public has generally supported, even demanded, strong military action against terrorists.

Fortunately, foreign terrorists have not carried out attacks *in* the United States. American public support for some kind of action is strong in the immediate wake of a major terrorist incident, but it quickly evaporates. It is not apparent that there is a sustained consensus in the US in favor of a military response to terrorism. Finally, Israel more easily tolerates world condemnation than does the US.

In any case, the effects of Israeli policy are debatable. Israel *did* succeed in dissuading first Egypt, then Jordan and Syria from allowing terrorists to launch attacks from their territory. On the other hand, Israel's policy certainly has not stopped terrorist attacks against Israel.

Others in the US government are reluctant to follow Israel's pattern of reprisal. In our society, before we can employ military force, we must have proof of blame and be prepared to divulge it. Whatever we do must be legal under international law. Secretary of Defense Caspar Weinberger has outlined publicly certain considerations applicable to the use of military force:

- The force must be timely.
- It must be appropriate.
- It must have public support.
- It must have a high probability of success.
- It should be used only as a last resort.

While one cannot argue with any of these considerations individually, collectively, they would make it very difficult to get a green light for any operation.

Some elements in the US military hierarchy have traditionally been unenthusiastic about low-level conflict, and with some justification view the armed forces as a poor instrument for combating terrorism—one fraught with operational and institutional risks.

The Middle East, where the problem of state-sponsored terrorism happens now to be centered, poses special challenges. Apart from Israel and Turkey, attitudes of the local governments range from cautiously cooperative to outright hostile, and except for Turkey, we have no fixed bases. Our allies' dependence on Mideast oil imposes constraints. There is the problem of the proximity and influence of the Soviet Union, which has a strong interest in the Middle East. Syria, a suspected sponsor of terrorist attacks directed against the US, is a formidable military power; it is also the Soviet Union's chief client in the region. Beyond support for Israel, there is little understanding or consensus on US policy. Regrettably, this is true not only of the Middle East, but of US involvement in many third-world conflicts—for example, in Central America.

What would be the objectives of reprisal operations? The first would be to reduce the terrorists' or their state sponsors' capabilities to continue their terrorist campaign, but this is very difficult to do. Terrorist operations require only a handful of people—recruited from a large reservoir. They don't need much in the way of infrastructure. To destroy a state's capabilities to wage a war of terrorism would require more damage than the US may be willing to inflict.

Can the US kill the policy? That is, can the US persuade the state sponsors to desist? Given the fanatical leadership in Teheran, US frustration in dealing with the Iranian government during the hostage episode, and the unpredictability of Libya's Qaddafi, it is problematical whether the US can persuade the sponsoring countries in the Middle East to do or not do anything.

By demonstrating that sponsoring terrorism will bring military reprisal, can the US discourage other states from adopting terrorism as a mode of conflict? Possibly. Can the US demonstrate that it is not impotent? Probably. Can the US satisfy domestic demand for action? Certainly, but, by itself, satisfying domestic opinion ought not suffice as an objective of military action. However, continued acts of provocation without any US response could make pressure irresistible even if the military responses were ill-considered.

If the US decides to use military force in response to state-sponsored terrorism, whom does it hit? What about going after the group? The principal advantage of directing operations against non-state actors is the direct connection. They attack you; you attack them. That makes it easy to justify. There are also fewer political liabilities involved in attacking terrorist groups than in attacking governments, and probably less objections from allies.

The principal disadvantages of going after a terrorist group are: the paucity of significant targets—targets that are destroyed can be easily reconstituted; the high risk of visible mission failure and consequently the risk of American casualties or POWs; the risk of civilian casualties; and the action may have little effect on the state sponsors.

Reprisal operations against state sponsors present a different array of advantages and disadvantages. On the plus side, states offer a wider range of vulnerable targets. In attacking state targets, the US might be able to more easily avoid civilian casualties than in going after terrorists, and it can impose costs that are more likely to affect decision-making. On the minus side, some proof of connection between the terrorist perpetrator and the state sponsor is needed to justify the operation; attacking states incurs greater political liabilities; and there is the risk of escalation.

A look at the problem country-by-country, focusing on those three most frequently mentioned as sponsors of terrorism, reveals an array of risks:

- The principal risk in the case of military action directed against Syria is that country's defenses and, as a result, the high risk of American casualties and POWs, as was learned in November 1983 when a US Navy flyer was shot down and captured.
- Iran presents less formidable defenses, but it is more difficult for the US to reach targets throughout the country with air power.
- In Libya, the principal problem is the presence of American and friendly nationals, which could cause our allies to oppose or denounce military operations directed against Libya. Qaddafi has already demonstrated his willingness to create "hostage" situations in dealing with Germany and the United Kingdom.

Taking no action becomes America's chosen option by default, but doing nothing is not without peril. If there are no costs at all imposed on the terrorists or their state sponsors, they certainly have no incentive to quit. US credibility will further erode. Faced with the possibility of terrorist threat, our friends will be reluctant to openly ally themselves with our objectives, while our adversaries may be encouraged to employ terrorism as a mode of warfare. This is, perhaps, the biggest danger. It is a type of warfare to which the US has difficulty responding.

Some conclusions which can be drawn from all this include:

- The US must construct and be prepared to divulge its case against terrorists and their state sponsors.
- Obviously, US force options are limited. America needs to strengthen its special operations capabilities.
- The US response should not be strictly limited to military operations. It needs to think about combinations of non-military measures and force.
- The US needs to improve its machinery for planning and orchestrating a campaign against state-sponsored terrorism. The US has the components, each with its own specific responsibilities and expertise, but who puts the whole thing together?

The US needs to improve its machinery for planning and orchestrating a campaign against state-sponsored terrorism. The US has the components, each with its own specific responsibilities and expertise, but who puts the whole thing together?

- The US must at all costs avoid the blow-for-blow response pattern which the Israelis fell into. They say it only conditioned terrorists to anticipate reprisal operations; it did not deter them. When it comes to the employment of US military force in the Middle East, the US may have only one or two shots. The desire should not be to get even, but to avoid the need for further operations.
- Finally, the US has to realize that the effects of force in this area are unpredictable, and it should not overestimate the gain. International terrorism will continue. How the US will respond to this problem remains one of the major challenges of American foreign policy today. ■ ☆ ■

Mr. **Jenkins**. In combatting terrorism abroad, the United States faces a twofold problem. On the one hand, it confronts what has unfortunately by now become ordinary terrorism. This is a diverse threat. A multitude of terrorist groups for various reasons have attacked U.S. targets in 72 countries since 1968, and in dealing with this type of terrorism the U.S. response is primarily defensive.

State-sponsored terrorism poses a different problem. Here the United States confronts a campaign of terrorism instigated and directed by a handful of state sponsors, concentrated now in the Middle East. It is a much deadlier violence and potentially can have much greater impact on U.S. policy, in the manner of the Beirut bombing.

Here, defensive measures may not be enough. The United States has declared that it will employ force to preempt or retaliate for terrorist attacks, but political, operational, and institutional constraints limit our force options. That poses a dilemma.

State-sponsored terrorist attacks are likely to continue. Lack of action to back up U.S. words will increase perceptions of U.S. impotence. Some have suggested that the United States follow a policy similar to Israel's, but there are some significant differences between Israel and the United States.

Israel considers itself at war. The United States does not. Reprisal is an integral part of Israeli military doctrine and practice. It is not part of U.S. doctrine. Israel's terrorist adversaries and their state sponsors are adjacent to Israel's frontier. The Middle East is at the edge of our military reach.

Israel's public has generally supported, even demanded strong military action against terrorists. It is not apparent that there is a sustained consensus in the United States in favor of a military response to terrorism, and in any case the effects of the Israeli policy are debatable.

Others in U.S. Government are reluctant to follow Israel's pattern of reprisal. In our society, before we can employ military force, we must have proof of blame and be prepared to divulge it. It must be legal under international law. The force must be timely. It must be appropriate. It must have public support. It must have a high probability of success. It should be used only as a last resort.

While one cannot argue with any of these considerations individually, collectively they make it very difficult to get a green light for any operation. What would be the objectives of reprisal operations?

The first would be to reduce the terrorists' or their state sponsors' capabilities to continue their terrorist campaign, but this is very difficult to do. Terrorist operations require only a handful of people recruited from a large reservoir. They do not need much in the way of infrastructure.

Can the United States persuade the state sponsors to desist? Given the nature of the leadership we confront, that is problematical. By demonstrating that sponsoring terrorism will bring military reprisal, can the United States discourage other states from adopting terrorism as a mode of conflict? Possibly.

Can the United States demonstrate that it is not impotent? Probably. Can the United States satisfy domestic demand for action?

Certainly, but by itself this ought not to suffice as an objective of military action.

If the United States decides to use military force in response to state-sponsored terrorism, whom does it hit? The principal advantage of directing operations against the terrorists themselves is the direct connection. They attack you. You attack them. That makes it easy to justify.

The principal disadvantages of going after a terrorist group are the paucity of significant targets and the risk of civilian casualties. Reprisal operations against state sponsors present a different array of advantages and disadvantages.

On the plus side, states offer a wider range of vulnerable targets. In attacking state targets, the United States might be able to more easily avoid civilian casualties than in going after terrorists, and it can impose costs that are more likely to affect decisionmaking.

On the minus side, some proof of connection between the terrorist perpetrator and the state sponsor is needed to justify the operation. Attacking states incurs greater political liabilities, and there is risk of escalation.

The paucity of military options pushes us in the direction of covert action. However, in my view, although covert operations may be necessary under extraordinary circumstances, if the United States is obliged to use force in response to terrorism, it ought to do so with the legitimately constituted Armed Forces of this country, openly, with an unambiguous message as to who is responsible and why we are doing it.

There are moral considerations for this. There are legal constraints. In addition, there are practical reasons. It is simply not to our advantage to enter a contest in a manner that gives our opponent the advantages. We are exposed and vulnerable to his attacks while he remains difficult to identify and locate.

We will debate each action while our opponent will not hesitate. We will be concerned about harming innocent bystanders. He will not hesitate to attack civilian targets.

Finally, if our long range goal is to dissuade other countries from adopting terrorist tactics as a mode of surrogate warfare, we do not further it by blurring the distinctions between legitimate armed conflict and international terrorism.

Senator DENTON. That, too, was very helpful, Mr. Jenkins. We will take the distinctions of Mr. Murphy. There really are more ambiguities, perhaps, than those you brought out. You mentioned the difference between definitions of terrorism and you point out the extremely important political exception which should be made if we are going to undertake to pass something like the Specter amendment.

Are you that familiar with what Senator Specter is about to propose or has proposed making international terrorism a crime?

Mr. MURPHY. I am not that familiar with it. I knew that he was concerned about this and that he might be introducing legislation, but I am not familiar with the text.

Senator DENTON. I personally have no problem with any of your recommendations. I believe all of them are worthy. From the point of view that I have, with such degree of knowledge as I have on this subject, they all seem worthy of pursuit.

Right now, it is appalling that any international terrorist, like Carlos, can walk through Canada. If he has not committed crimes in Canada, he has committed crimes in lots of other places. It seems to me that the systematic approach you have, which is sort of a package of laws, would just about handle the situation.

I do not see a flaw to it. I will pursue that. I hope you will keep in contact with us and give us the benefit of your ongoing development of thought.

Let me see. You say terrorism is a term of uncertain legal content, and I agree; and that it should be distinguished between that which is undertaken in combat and that which is not; that terrorism in your belief is something that usually takes place against civilians. It can take place against civilians in a way, though, by destroying property which is of importance to civilians, like power lines, reservoirs, and that sort of thing. You would include that?

Mr. **Murphy**. Yes. I might mention, Mr. Chairman, that in many ways I would agree with former Judge Baxter that we would be better off if we could eliminate the term "terrorism" as an operative concept, because I think it creates more confusion than it helps. But, unfortunately, we are stuck with it.

Senator **Denton**. It is a tremendous semantic problem. We often talk about it in terms of "Terrorism" with a capital "T" and "terrorism" with a small "t."

Would you consider terrorism conducted in uniform—that is, would you consider military operations conducted by men in uniform against, say, installations, the loss of which would embarrass or inconvenience or even cause major problems to civilians, for a political impact—how would you identify that? Would you say that is terrorism or not, with a capital "T"?

Mr. **Murphy**. I think I would view that as one of the situations where it does not help very much to talk about terrorism. I believe the kind of situation that you have posed is really one of military judgment and value judgment. It is a question of military necessity, military targets, versus unnecessary suffering, a question that arises all the time in the law of armed conflict, and a very difficult decision that military officials have to make.

Depending upon the importance of the target and the need to strike it, one may decide to strike it despite some civilian injuries, or one may decide that the balance tips in favor of nonaction because of the civilian loss.

Senator **Denton**. I have had trouble trying to express that terrorism, having been active, can become passive intimidation, such as—just for an example, which some may disagree with—Nicaragua has undertaken certain militaristic or terroristic, depending on how we would define it, operations in and around Costa Rica, which are intended to intimidate that government and those people.

Somewhere in there, even if they are in uniform, there should be some way—as you say, maybe the word "terroristic" is not it. "Intimidation" seems to be the one noun that to me is common to terroristic acts.

Mr. **Murphy**. Again, Mr. Chairman, I think that terrorism is not a useful concept as applied to that situation. This is not to say that this situation is not covered from a legal perspective, that it is not covered by a variety of legal documents.

There is the U.N. General Assembly resolution, for example, that prohibits a state from sponsoring armed subversion in other countries. This is what we are talking about. We are talking about intimidation.

The use of force against military or civilian officials of another country may violate a variety of international law norms. But I think this situation is more usefully analyzed under the law of armed conflict than by bringing it into the greatly overloaded area of terrorism.

What has happened is that terrorism as a generic term has become so overloaded that it simply has gotten in the way of effective analysis, and then of proposals on what we do about terrorism, either by way of policy or legal reform.

Senator DENTON. Have you or do you propose to undertake a semantic breakdown of the term into sub-meanings, so that we can be more specific, like the French, and more precise in expressing what we mean, what we are dealing with?

Mr. MURPHY. Yes, although with some trepidation. In fact, I am under contract with the American Bar Association to do a study of state support of violence, which would include terrorism within its compass. I will attempt to make those very difficult and fine distinctions in the course of that study.

Senator DENTON. I would certainly like to stay up with that.

Your distinction between reprisals, if I understand it correctly, is against terrorists as nonstate-sponsored groups and as state-sponsored groups. In the former they are relatively small targets. To get at them, with the attendant loss of innocent life, would be difficult.

But in the latter case of state-sponsored groups, you believe it would be more thinkable to use reprisal against a state.

In some sense that would be more, let us say, liberal or permissive than against individual terrorist groups, nonstate sponsored, is that correct?

Mr. MURPHY. Yes; Mr. Chairman.

I think Brian Jenkins made the point that if we decide—and perhaps we have already decided—that in the case of Colonel Qadhafi there is substantial state support of terrorists, then we really ought to direct any kind of measures, whether they be peaceful discussions, economic sanctions, or armed force, against the Qadhafi government.

The question of the use of armed force is the most difficult in legal terms, because the U.N. Charter outlaws, at least under one reading, reprisals as compared to self defense. Now, where you draw the line between self defense and reprisals is another question that lawyers disagree on.

But in my opinion the actions should be directed against those states that are identified as supporting terrorism. And I think the world community has simply abdicated its responsibility in this respect, even by way of meaningful economic sanctions.

Senator DENTON. To follow you further on reprisals against states which are or in the future are perhaps labeled as terrorists, you then say that the reprisals should be, if I did not misstate your view should be undertaken openly, by the regular Armed Forces of the United States; and that you would tend to disapprove of covertly supporting non-U.S. units which already are in existence.

You would not want to use them covertly, even if we made public the fact that we did use them. They are not American armed forces. Let us take that question. It is overt, but it is use of other forces than American Armed Forces. You do have a big hangup against that?

Mr. **Murphy**. Well, I should state that I am not sure I have gotten to the point yet—but, let us assume——

Senator **Denton**. Well, let us say there were people around Libya who were not American, but who could be retained by the United States to undertake a reprisal against a major action which was against U.S. interests.

Would you feel that it was wrong, legally or morally, to announce, after the fact perhaps, that you had sponsored a group that was not American to undertake a reprisal in that sovereign country?

Mr. **Murphy**. Well, assuming we get to the point—and this is a big assumption—where a decision is made that is sound, both in terms of law and policy, to use armed force against a government because of its support of violence or terrorism, whatever one wishes to call it, then I think one could probably justify in law and perhaps in policy the use of foreign agents.

I suspect, however, that under those circumstances we would be better off using the Armed Forces of the United States. Recent history indicates that so-called covert action is not going to stay covert very long.

If the use of military force can be justified under law and policy, I believe that U.S. Armed Forces should be used, and ideally in conjunction with the armed forces of other countries.

Senator **Denton**. Mr. Jenkins, what about your view of the dealings, confirmed by the State Department, with the PLO to reinforce our security at an embassy? What about getting into that shady area? What would be your opinion?

Mr. **Jenkins**. If I might, with your permission, I would first add a comment to the previous question with regard to the preference for the use of U.S. Armed Forces as opposed to covert operatives in terms of applying force. If a country has made the decision to apply military force—military force means violence, it means destruction, it means the loss of lives—it may be legal to use other operatives, to finance other people to do that, but I do not think it is in our interest to do it that way.

If we are applying violence, then I would like it to be carried out by people under our command, soldiers who are under our regulations, whose behavior we are responsible for, and to have them carry it out in such a way that there is no ambiguity about the responsibility of this.

And of course, when we talk about covert action, the only advantage of covert action is deniability. I see no reason, if we are going to use force, why we would want to deny it. If we have the case to make to use it, then let us do it. Also, that moves the response out of the realm of back-street warfare, a kind of grey area warfare, and moves it out into the open where, quite frankly, if we face this as a new kind of war, we ought to deal with it in that way.

It is to our advantage to have it take place in that kind of environment, with that kind of discussion about it, and with those kinds of messages. I feel very strongly about that. Obviously, you can never say never. You cannot exclude every conceivable circumstance in which you might resort to covert activity. But in this particular case, I do not think covert activity is in our interest.

With regard to your specific question about the PLO, I am not entirely certain exactly what was the nature of that relationship. It is a fact that during periods of the continuing political turmoil in Lebanon, the civil war, with various factions fighting, there were Palestinians who were in control of parts of the city, just as today in Beirut there are Shi'ites in control of parts of the city, and so on.

And in the absence of a host government or the absence of that host government's capabilities to fulfill its obligations as a host and protect embassies, the idea of being compelled by necessity to deal, albeit perhaps informally, with some faction who has de facto geographical control over a piece of terrain is neither unprecedented nor, given the circumstances, necessarily reprehensible, and in my view would not generally violate U.S. policy with regard to dealing with a particular organization.

In fact, there have been many circumstances in terms of using people as intermediaries and negotiating hostage situations or dealing with countries in a state of civil war, in which U.S. Government agents unofficially have had contacts and discussions and have attempted to use various participants in those struggles to advance or to protect U.S. interests.

Senator **DENTON**. For the purposes of this oral hearing, would you care to select from the Armed Forces Journal article, which you asked to be included in the record, the more important criticisms you have of Mr. Weinberger's criteria for the use of military force against terrorism, which would make it, according to you, difficult to get a green light for any operation?

Mr. **JENKINS**. Please understand that this is not a direct criticism of Mr. Weinberger. I think all of those points he raises about legality, about concern for feasibility, about concern for the consequences are valid considerations that our Government, not simply the Department of Defense but everyone in our Government, ought to take into account.

The question is, At what point do they become considerations and at what point do these considerations become prerequisites or conditions for the employment of military force? In fact, if we took that list as an ironclad list and said we must fulfill all of these conditions before we can contemplate the use of military force under any circumstances in this country, I am not sure we could have fought World War II under those circumstances. We sure as hell did not have any guarantee of success at the outset of that conflict.

And so, as considerations they are valid. As prerequisites, they cannot stand.

Senator **DENTON**. I think you and probably Dr. Murphy can understand that Mr. Weinberger is probably reflecting the military establishment's reticence about another situation like Vietnam, another situation like the investment of a few thousand marines trilaterally with some other nations, in which we did not or could not follow through.

We all have our different points of view of that, but I am sure that is why he is being perceived as the soft guy and Secretary Shultz as the hard guy, because Shultz has to deal with absolutes in terms of coping with foreign threats to our own interests.

The Defense Department has to deal with the actual hands-on effort to do that and has been through some relatively unfortunate experiences. A man can only give his life, and if a number of those are given and then the rug is pulled out from under the cause or the persistence with which we pursue the cause, it is rather disillusioning. And we can break the will of our own armed services if we continue with that kind of historic trend.

I must ask two questions for Senator Lugar. He says he would be interested in Mr. Jenkins' assessment of this morning's testimony from administration witnesses, reassuring or not.

Mr. **JENKINS**. This morning's testimony covered a broad range of topics. I wonder if I could ask you, on behalf of Senator Lugar, to be a little bit more specific and identify which portion of the witnesses' statements?

Senator **DENTON**. I imagine that one aspect of it would be the sort of attack on the apparent dichotomy between the "policy" which was enunciated by the Secretary of State on the one hand and the Secretary of Defense on the other, and the allegation that the Vice President did not agree with one of those. The disunity with respect to the approach toward policy.

Mr. **JENKINS**. I understand. To begin with, I must say that in my own mind, I do not see a great dichotomy between those two statements. On the one hand, to reassert, to reiterate that it is not the policy of the United States to kill innocent civilian bystanders, I think is an appropriate policy statement, and I doubt that Secretary of State Shultz or anybody else in the Government would disagree with that.

At the same time, to recognize that in the application of force—and force is about killing people, it is about destroying things, and we ought not try to hide that in any way—that there is a risk, in some cases greater, in some cases less, of civilian casualties, is a recognition of fact.

Apart from that statement, it is also a fact that we know there is some debate going on in the administration about how appropriately to respond to terrorism, and to state-sponsored terrorism. This debate is not confined to Mr. Shultz and Mr. Weinberger. It is a debate that is taking place throughout the Government, particularly since the bombing of the marine barracks in October 1983.

I think that debate is entirely appropriate. This is a new challenge. This is an open, democratic government that debates its policies, often publicly. This is a fundamental issue before the American people, and to me the idea that there is discussion of these issues, that there are differences of opinion, that there is public debate, is not so much a sign of disarray as a healthy confirmation of the democratic society we live in.

Mr. **MURPHY**. May I speak to that?

Senator **DENTON**. Thank you.

Yes; how about you, Dr. Murphy?

Mr. **Murphy**. I am glad that question was asked, Senator Denton. I think that the testimony this morning did demonstrate—indeed, the whole discussion this morning demonstrated—a problem I alluded to in the very beginning. That is, the necessity for distinguishing between terrorism and other forms of violence.

I think it may also demonstrate the need to distinguish between the use of armed force by way of defense and the use of armed force by way of punishment, reprisal, or retaliation. To go to the definitional problem first, it is not very useful to classify the bombing, the suicide attack on the Marine barracks in Lebanon, as an act of terrorism. I think this is so because it is really an act of war in an armed conflict situation.

The United States got itself involved in a major armed conflict in Lebanon. Now, as to the use of force in that situation, there would seem to be no question but that if the United States could have learned in some way about the suicide bombing, it could have used armed force to blow up the truck even if this might have resulted in some civilian injuries.

It would be acting in self-defense, and the military necessity for the act would be overwhelming. Under basic concepts of the law of armed conflict, it would seem to be totally justified.

The more difficult question arises if you want to get the individual or individuals that were responsible. Again, the terrorist act or the act of violence, as I would call it, the act of war, was successful in the sense it occurred, the damage was done. Now the question is how, if at all, do you punish those who were responsible?

Here, in connection with the use of force, you are talking about retaliation. And you get into another difficult distinction between the area of international criminal law, treating this as a criminal law problem, and the law of armed conflict.

Ideally, one could deal with this as a natter if criminal law and procedure, by having the individuals tried. That is not possible, however. The question then arises, can you retaliate by the use of force against the individual involved? It is very difficult to do so.

First, there may be a question as to whether this individual really was responsible. In a democracy are concerned about proving guilt before we impose punishment.

There is the definitional question of whether this would be an assassination or not. And there is, of course, the danger of injuring civilians, which I think is demonstrated by the incident in Beirut, even assuming that the United States had nothing to do with it.

So there are some very difficult problems to be resolved here. I believe there is still a lack of clarity in thinking in this area on the part of the administration, and perhaps on the part of others.

Senator **Denton**. Would you agree, the two of you, with the main considerations the administration has to address in the security field, that they are trying to address this one in a fashion which is not grotesquely wrong, but that they should admit, as we admit, that we are in the policy formation stage, we are in the understanding formation stage, and in the consensus formation stage?

And until we pass that stage and have a nice clip-clip-clip system for dealing with this, we should accelerate the study, the discussion, and admit that we are in that stage; and yet, at the same time not be paralyzed in trying to act in certain circumstances which will require it with such consensus and such policy as we have?

Mr. MURPHY. Absolutely.

Mr. JENKINS. I would agree with that. I might be somewhat less optimistic in saying that even with careful study and analysis and further discussion, we will arrive at a policy and a set of measures which will enable us to, as you put it, click-click-click, deal with the problem. This is a chronic, very difficult problem to deal with.

Senator DENTON. I mean, if the delineation of policy definition of it were accepted by everyone in the United States. Even then, I agree we would have problems with regard to execution, but we would be better off.

Mr. JENKINS. I understand. We certainly would be better off.

On the other hand, in thinking back about any other foreign policy issue or any other government issue, very seldom does this country arrive at policy by careful analysis in advance, a weighing of all the options, and a delineation of a clear policy.

Our policy with regard to terrorism, such as it is, reflects the way we do policy on a variety of issues. We react to events; people make statements that become a piece of policy. Someone else makes a statement in a different set of circumstances; it becomes a further part of that policy. And in effect, our policies on any issue tend to be an attic storeroom of all of the previous statement and actions taken by all of the previous administrations in dealing with some set of problems that are believed to be related.

And terrorism is certainly no different from that muddling through, ad hoc policymaking style that this Government has.

Senator DENTON. Well, I guess that is true, really, of almost any democratic country—France, England, ourselves, and so on.

Senator Lugar has another question: Is it not true that in some countries, because of the indigenous forces having more appreciation for the subtleties, in the intelligence sense, that we might well have to use them rather than our own Armed Forces in terms of some of these actions, retaliation or reprisal or even preemptive action?

In other words, the task of trying to transmit all of that indigenous knowledge to our people, give them the feel for the thing, get them in there, and get them to do it; that I think is the thrust of his question. Yes, that is the thrust.

Mr. JENKINS. If I may stretch an historical analogy here a bit, when the U.S. Army was engaged in fighting Indians on the frontier, we faced problems of our inadequate knowledge of terrain, of culture, of the relationships of one tribe to another, and so on, and indeed did utilize indigenous personnel, people drawn from those tribes, to assist the U.S. Army in its activities.

There is nothing that prohibits us from using indigenous personnel to obtain intelligence, to identify targets, to assist our personnel in carrying out operations, and even to participate in those operations, so long as—and this is a personal view—those indigenous personnel would be subject to the same command and control, to the same regulations, to abiding by the same rules of warfare and rules of engagement that govern the conduct of American soldiers.

In other words, covert sponsorship of indigenous personnel ought not to be a back door for escaping the rules of warfare or the rules of engagement. But neither are we prohibited from utilizing indigenous sources to carry out operations. Every war that I can think of historically has ample precedents of that.

Senator **Denton**. Mr. Jenkins, considering the difficulty of developing consensus, coherence of action, is it time to break up the defense bureaucracy? Is it time to make our overall Director of Central Intelligence independent from the chief administration of CIA?

Do we have to give the Secretary of State his own security forces to protect U.S. missions overseas?

Mr. **Jenkins**. Again, I can only offer a personal and admittedly unprepared response to that. There are institutional impediments to change, to dealing with new sorts of problems, and one of the problems we face with it is that terrorism is not the type of warfare which our institutions were created to defend the country against. Therefore, obviously, meeting a new kind of challenge is going to require some reconfiguration of the way we maintain the security of American citizens abroad and indeed the security of this country.

At the same time, I tend to be very skeptical of solutions that require the radical restructuring of the U.S. Government in order to meet one specific problem. We can perhaps identify another problem, as was done here yesterday in the discussion of drug enforcement, and say this is how we ought to reconfigure the U.S. Government to deal more effectively with drug enforcement or the interdiction of drugs. And we can look at another problem and say, this is how we ought to reconfigure the U.S. Government to deal with this other problem.

We have a tendency, anyway, to reorganize to meet every new problem. I do not think that is necessarily a solution here. I think some reconfiguration is required. I see no necessity for a proliferation of security forces, independent armies, autonomous antiterrorist agencies, things of this sort.

I think we would be better off trying to see how we can do those things we know how to do and do best and apply them in a sensible fashion to this problem. I come back to the issue of using military force against terrorists, and the fact that we are not very good at the kinds of fighting terrorists do. We have moral objections to it, we have institutional impediments, we have legal constraints, and it is not our way of doing things.

We have no interest, in my view, in reconfiguring ourselves to try to do that thing better. But we ought instead to say, How can we restructure the problem to apply our force in an effective way? If that means we single out state-sponsored terrorism as opposed to the individual terrorist, if that means we apply conventional military power as opposed to covert actions involving shooting or bombing or things of that sort, then so be it.

It may be in our long-range interest anyway to discourage this departure from the conventional forms of conflict and remain in the conventional military mode anyway if we are going to use force.

Senator **Denton**. Well, I have an institutional bias in favor of not reorganizing. The Navy used to have a saying that the Army operates well because of its organization and the Navy operates well in spite of its.

Reorganization was usually something imposed upon us, and we tried to do what we could with what we had by operations orders which adapted themselves to the situation. But I'm not sure that that institutional bias is correct in this case.

Let me align myself with you all in asserting that I firmly agree with trying to deal with terrorism or with any other threat to our interests by some other means than military, by other means than violence. That is not only a conclusion of mine, but the essence of all of the study I have done throughout my life.

We should try economic means, but I see not only ambiguity but really glaring discrepancy in learning that not only are we doing business as usual with Libya but a number of our allies are, too. And it just seems contradictory.

I think the media had a lot to do with our imposing an embargo on Nicaragua. I believe that is a contribution which bleeds away from the tendency of people like me, who have been dealing in military affairs all of their lives—you would suspect that they and I would want to rely on force. I have gone to the President personally on a couple of occasions, in ways that the media would find difficult to believe, to see, if a military response was necessary, could we at least do it multilaterally? And I cannot go into that any more than I just did.

And I, for one, would much rather exhaust the political, economic, and psychological avenues open to us before we move to a military means, and then it should suit the occasion. We have to have sufficient cause in reacting to terrorism, as in going to military action in a war. We have to have sufficient interest involved.

It has to have been harm sufficient to make us want to do something. We have to have the capability to do what we try. Then after we exhaust all other means and find no other alternative than the application of force, that should be used only if it is a way of preventing an even worse alternative in terms of harm to the interests of the United States.

From what you have said here this morning, I believe that both of you agree with that, and I believe President Reagan and this administration as well as previous Presidents and administrations would also agree with that.

Well, gentlemen, thank you very much. This has been a long session and perhaps we are reaching the point of diminishing returns. I want to thank everyone who is here for their patience.

The closed hearing previously scheduled for this afternoon has been postponed. We will have a specific date and time and place later for that.

Thank you all very much for your patience. This hearing is adjourned.

[Additional questions and answers follow:]

DEFENSE DEPARTMENT'S RESPONSES TO ADDITIONAL QUESTIONS SUBMITTED BY SENATOR EAGLETON

INTELLIGENCE OVERSIGHT ACT AND WAR POWERS ACT REPORTING REQUIREMENTS

Some might argue that a strike on a terrorist installation is not a "significant and anticipated intelligence activity," per se, and therefore would not trigger congressional reporting requirements.

Question. Would the use of intelligence community funds or personnel in a preemption or reprisal against terrorists require prior notification of Congress required in subchapter 3 of the Intelligence Oversight Act? If not prior notification, then ex post facto reporting?

Answer. DOD anticipates that missions against terrorist groups would be conducted by the Department as special operations assigned by the Secretary of Defense with the approval of the President. It is anticipated that these missions will not utilize either intelligence community funds or personnel but rather will be conducted in support of military objectives funded with operations and maintenance funds and employ U.S. special operations forces as appropriate.

However, this does not preclude the possibility of the President specifically directing DOD to undertake these missions as covert special activities (which to date he has never done) or to provide DOD resources to another agency which itself has been specifically tasked by the President to conduct the special activities. By definition, these covert special activities fall within the jurisdiction of the Intelligence Oversight Act and DOD would insure that the relevant reporting requirements of the Act, regarding DOD participation, were fulfilled.

The Special Operations Forces of the DOD (i.e., the Army's Green Berets and Rangers and the Navy's SEALS) are undergoing an aggressive peacetime buildup. They are uniquely suited for Low Intensity Conflict, including counterterrorist actions.

Question. 2. Would the involvement of the Special Forces or the use of DOD funds in a counterterrorist action trigger the reporting requirements of the Intelligence Oversight Act or the consultation requirement of the War Powers Act which states:

"SEC. 3. The President in every possible instance shall consult with Congress before introducing United States Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances and after every such introduction shall consult regularly with the Congress until United States Armed Forces are no longer engaged in hostilities or have been removed from such situations."

Do you envision any instances in which reporting requirements of either status would be triggered?

Answer. DOD does not consider either Special Operations Forces or the conduct of counterterrorist operations to be part of or fall under the jurisdiction of the intelligence community. They are military assets and missions. With regard to the conduct of counterterrorist special operations in support of military missions, DOD does not consider that the use of DOD funds (e.g., O&M) triggers the reporting requirements of the Intelligence Oversight Act. However, when the President has specifically directed the use of DOD resources and/or the expenditure of DOD funds to conduct or support a covert special activity, pursuant to the authority of the Intelligence Oversight Act and Executive Order 12333, DOD must comply, or ensure compliance, with the reporting requirements of the Act.

The Executive Branch has long recognized the importance of keeping the Congress currently and accurately informed concerning its use of all U.S. Armed Forces and will continue to provide timely information and consult with Congress in this regard. DOD considers Congressional knowledge and support a vital pre-requisite to the conduct of any military operation in general and to special operations in particular in order to insure their ultimate success.

Question 3. We have heard that some Latin American insurgent groups as well as drug dealers are involved in arms trading near the U.S.-Mexican border. Can you comment on this situation? What can be done to counter this if true? The Immigration and Naturalization Service cooperates in drug enforcement activities. Can it do more the counter the broader problem of narco-terrorism. INS has recently established a special unit to deal with immigration emergencies. Can you see a useful role for this unit in counter terrorism and drug enforcement activities.

Proposed Answer: Immigration and Naturalization Service intelligence is unable to confirm reports of arms trading among Latin American insurgent groups and drug dealers near the U.S.-Mexican border. INS remains committed to interagency cooperation regarding national drug enforcement efforts. In this regard INS officers are permanently assigned to the El Paso Intelligence Center and the six regions of the National Narcotics Border Interdiction System to ensure maximum drug enforcement support. No special unit of the Immigration and Naturalization Service has been established to deal with immigration emergencies. However, INS is in the process of developing contingency plans to deal with mass immigration situations similar to the Cuban influx of 1980.

Question 15. [For State and Justice:] Proposals have been made to amend federal criminal laws to deal with international terrorism—e.g., by specifically criminalizing certain forms of violence perpetrated abroad. If such provisions were enacted, how would prosecutors and the courts determine whether particular activities abroad were terrorism or some other form of violent action, such as justifiable revolutionary activity? Would the State Department have a role in advising or assisting prosecutors and the courts in such a connection? How would such a role be exercised in connection with contemplated or ongoing criminal proceedings? Would raising funds or shipping non-lethal supplies for military or paramilitary conflicts abroad, including insurgencies and civil disorders, become criminal under such provisions? In all cases or only if it were somehow determined that the recipients of such assistance were involved in terrorist-type activities?

Proposed Answer: In the absence of the actual or proposed statutory language, it is impossible to fully answer the question. As a general rule, the Department of Justice has not favored the enactment of criminal legislation, whether domestic or extraterritorial, that contains the term "terrorism" (or its functional equivalent) within the statutory elements of the offense because such an offense would almost assuredly have by definition an element involving motivation for political purposes. In our judgment, such an element only raises unnecessary constitutional issues. The Department believes it is best to enact criminal statutes directed against violence per se without regard toward the motive of the perpetrators. Violence, unless sanctioned by law, is not to be condoned as a method of acceptable human conduct. Moreover, regardless whether a revolution is justified or not justified, we are opposed to the use of violence against United States persons or interests by revolutionary participants. To the extent that our criminal laws vest criminal jurisdiction in federal courts, the Department will give consideration to prosecution in all situations where the evidence available will support a criminal prosecution and custody over the perpetrator(s) is obtainable. As is usual with most overseas matters, the Departments of Justice and State would closely coordinate their respective efforts in these situations.

RESPONSES OF DR. FRED IKLE AND NOEL KOCH, DEPARTMENT OF DEFENSE

Question. We are told that the military has contingency plans to deal with terrorist incidents. To what extent is the Department of Defense involving other law enforcement agencies such as DEA in its planning?

Answer. All U.S. government efforts to combat terrorism are coordinated through the Inter-Departmental Group on Terrorism. This mechanism provides focus and ensures that each Agency with responsibility in this area is an integral part of the planning process.

Question. Some witnesses have said that DEA is seriously shorthanded overseas. What assistance can the Department of Defense offer to supplement or augment DEA information gathering and counter-Drug operations abroad.

Answer. The Armed Forces provide DEA with a broad range of support to augment its present capabilities and will continue to do so as long as narcotics trafficking represents a threat to the national welfare.

Such support includes the loan of aircraft; specialized military equipment, including weapons and night vision sensing systems; and the sharing of intelligence.

The Air Force has two helicopters and crews stationed in the Bahamas supporting the DEA's Operation BAT (Bahamas and Turks). OPBAT provides quick insertion mobility for Bahamian Police/DEA agents to scenes of suspected drug activity. It has been most effective in aiding the interdiction of drugs in the Bahamas.

Question. We have heard that some Latin American insurgent groups as well as drug dealers are involved in arms trading near the U.S.-Mexican border. Can you comment on this situation? What can be done to counter this, if true? The immigration service cooperates in drug enforcement activities. Can it do more to counter the problem of narco-terrorism? INS has recently established a special unit to deal with immigration emergencies. Can you see a useful role for this unit in counter-terrorist and drug enforcement activities?

Answer. There is no doubt arms trading by international drug dealers and insurgent groups occurring near the U.S. border. CIA continually monitors such traffic, which they have determined to be of a low order. Should the trade increase and it is determined that its magnitude poses a threat to our interests, counter-actions we could take include: increased interdiction efforts, and the establishment of a closer working relationship between state and Federal enforcement agencies on both sides of the border.

In response to your question concerning what more the Immigration Service can do to counter narco-terrorism, it is our sense that INS is already over-taxed and, without significant increases in budget and manpower, would be unable to contribute further to the solution of the narco-terrorism problem.

DEPARTMENT OF DEFENSE RESPONSES ON COUNTERTERRORISM

Question. When would use of U.S. special operations forces to counter terrorism be a clandestine operation and when would it be a covert action?

Answer. U.S. Special Operations Forces would conduct a clandestine operation when the intent is to keep the activity secret or concealed but, if discovered, acknowledged as a United States activity. A covert counter terrorist operation would be executed so as to conceal the identity of the sponsor or permit plausible denial by our government.

Covert actions must be approved and authorized by the President in a Presidential Finding or other determination, and are only conducted by the Central Intelligence Agency unless the President, in accordance with Executive Order 12333, specifically designates the Department of Defense as the lead agency to execute a specific covert program (which has not been done to date). The lead agency is responsible for informing the House and Senate Intelligence Committees of the special activity pursuant to the Congressional oversight provisions of 50 USC 413.

Question. If use of U.S. special operations forces to counter terrorism were a clandestine operation and not a covert action, what requirements of Congressional notification would apply?

Answer. When U.S. Special Operations Forces are used to counter terrorism in a clandestine fashion, no prior notification of Congress is required. Upon the advice and assistance of the Joint Chiefs of Staff, the President approves, through the Secretary of Defense, the conduct of the operation (10 USC 124). As in the case of all deployments of U.S. Armed Forces, special operations undergo a thorough legal review to determine the application of the War Powers Resolution and other appropriate statutes.

Question. Please describe the efforts the Administration has made in the past year to consult with Congress on key issues in counterterrorism policy.

Answer. DOD has made every effort to keep Congress apprised of the terrorist threat and to consult with the appropriate committees in both open and closed session on key issues relating to counterterrorist policy:

5 April 1984, Gen Paul N. Scheidel (USAF)—Office of Security Police; Col Thomas A. McDonnell (U.S. Army)—Chief, Army Law Enforcement, Office of Human Resource Development; and Bert G. Truxell—Deputy Director, Naval Investigative Service briefed the Sub-Committee on Military Construction of the House Appropriations Committee on the security of U.S. bases overseas.

19 May 1984, DIA briefed a professional Staff Member of the Senate Select Committee on Intelligence on World Wide Terrorism.

14 January 1985, DIA briefed Chairman Goldwater and 17 Staff Members of the Senate Armed Services Committee on international terrorism and the terrorist threat.

13 May 1985, DIA briefed four staff members of the Subcommittee on Legislation and National Security of the House Committee on Government Operations on matters concerning the terrorist threat to U.S. overseas facilities.

31 January 1985, DIA briefed Mr. Robert Emmerichs, professional Staff Member of the House Armed Services Committee, on the international terrorist threat.

15 May 1985, the Under Secretary of Defense for Policy, briefed a joint hearing of the Senate Committee on Foreign Relations and the Committee of the Judiciary on problems of international terrorism and the Administration's response.

6 June 1985, DIA briefed the Senate Select Committee on Intelligence concerning the current terrorist threat.

13 June 1985, Secretary Weinberger briefed the Senate Select Committee on Intelligence on the terrorist threat and Administration countermeasures.

13 and 20 June 1985, DIA briefed the Senate Select Committee on Intelligence on the international terrorist threat.

Question. Please describe the measures that have been taken or which are under study to improve career incentives for military personnel to specialize in special operations.

Answer. The Navy, in 1969, formalized the Special Warfare career program by specifying Special Warfare billets and establishing a career path from O–1 through O–6. Enlisted personnel then and now are permitted to remain in the operating units for an entire career. Approximately one year ago, the Army established a

Career Management Field for career Special Forces officers in grades O-3 to O-6 and enlisted personnel. The Rangers have received similar specific coding. There is no Special Operations Career Management Field, career designation, or career path in the Air Force and there are few career incentives for Air Force SOF personnel beyond job satisfaction.

Question. In view of the connection between narcotics trafficking and terrorist insurgent activities, what actions is the Department undertaking or does it have under study for direct or indirect action against the international narcotics traffic?

Answer. DOD and other members of the Intelligence Community are examining the nature and range of links between international narcotics trafficking and international terrorism. The findings will appear as a National Intelligence Estimate to be published in the next six to nine months. In addition, DOD is an active participant in the Inter-Departmental Group on Terrorism, which coordinates interagency activities directed against this problem. Specific actions and activities undertaken by DOD to interdict international narcotics traffic and to support enforcement efforts are outlined in our response to Question 7. In addition, the JCS have compiled a list of options that detail how the military could intensify support to the civilian agencies. The Office of the Secretary of Defense is examining these options and will shortly make their recommendations to the Secretary of Defense.

Question. What activities are the Department conducting or does it have under study for the use of its national or tactical intelligence assets in connection with border interdiction of international narcotics shipments?

Answer. The Department has under review a number of initiatives in this area and has already introduced procedures to exploit its intelligence capabilities to assist in border interdiction, some of which are covered in our response to Question 7. In general, these activities are of a sensitive nature and require coordination with and the close cooperation of other elements of the Intelligence Community. Release of information about these activities is controlled by the DCI.

Question. What activities are the Department conducting or does it have under study for the use of U.S. air, sea or ground forces in connection with border interdiction operations against international narcotics shipments into the U.S.?

Answer. DOD support to civilian law enforcement agencies covers a broad range. During 1984, more than 99 percent of all requests for assistance were approved, and the requirement for reimbursement was waived in the majority of cases.

In 1984, U.S. aircraft flew 3,100 sorties (10,000 hours) in support of drug enforcement activities. The Army provided Mohawk flight training and Ground Radar Surveillance field courses to the Border Patrol. Naval support included 6 PHM's, 1455 radar support hours, drug ship towing, and the Navy-wide ship-sighting program. The Marines provided OV-10 interceptors, ground radar surveillance, and an anti-personnel intrusion detection capability. The Air Force supported the effort through such measures as aerostats at Cujoe Key and Patrick AFB, and the Joint FAA/USAF Tac Air Command Surveillance System which provides information to the U.S. Customs Service and other enforcement agencies. Through co-location at the Air Force Region Operation Control Center where radars in the joint surveillance system are deployed, Customs also has been provided access to facilities and radar data (46 sites). DOD has assigned 43 personnel to the National Narcotics Border Interdiction System (NNBIS) regional centers and to the NNBIS facility at the White House to act as liaison officers. DOD also has supported joint civilian exercises that have dealt directly with the narcotics problem. Through 1985, the Department loaned over $88M in equipment, incurred $12.9M of costs assisting drug enforcement, and paid salaries of $1.7M for DOD personnel supporting drug enforcement and the National Narcotics Border Interdiction System.

Question. To what extent and in what cases are military assistance programs being used to support anti-narcotics training or assistance efforts abroad?

Answer. Much of our regional security assistance, in addition to upgrading the military capabilities of the recipient nations, has a spin-off effect for narcotics enforcement. An enhanced ability to control borders, project a government presence, and provide internal security can have a direct impact on combatting the illicit narcotics trade.

Much of the military equipment obtained through such programs is multi-purpose. Communications gear, off-road transport, aircraft, and coastal and riverine craft can—at the discretion of the local government—be employed in an anti-narcotics role. Moreover, a better trained, disciplined force is more capable of meeting the threat posed by traffickers.

Question. How feasible would it be for terrorist organizations to steal and operate a nuclear weapon? To steal a nuclear weapon and threaten to disperse highly toxic nuclear materials? Is there any evidence to believe that any terrorist organization has actually laid plans along these lines? Would you please outline, on a classified basis as necessary, plans for responding to a nuclear incident involving terrorists?

Answer. [Deleted.]

CLASSIFIED ANNEX

Question. Would you please outline on a classified basis as necessary, plans for responding to a nuclear incident involving terrorists?

Answer. [Deleted.]

Question. Is there any current evidence that a country, such as Libya, which supports terrorism has acquired or developed a nuclear weapon or is in the process of doing so? Is there any evidence that such a country plans to release a nuclear device into the hands of terrorists or might deliver a nuclear device through a quasi-terrorist operation?

Answer. [Deleted.]

DEPARTMENT OF JUSTICE RESPONSES TO ADDITIONAL QUESTIONS SUBMITTED

Question. We have heard that some Latin American insurgent groups as well as drug dealers are involved in arms trading near the U.S.-Mexican border. Can you comment on this situation? What can be done to counter this if true? The Immigration and Naturalization Service cooperates in drug enforcement activities. Can it do more to counter the broader problem of narco-terrorism. INS has recently established a special unit to deal with immigration emergencies. Can you see a useful role for this unit in counter terrorism and drug enforcement activities?

Answer. Immigration and Naturalization Service intelligence is unable to confirm reports of arms trading among Latin American insurgent groups and drug dealers near the U.S.-Mexican border. INS remains committed to interagency cooperation regarding national drug enforcement efforts. In this regard INS officers are permanently assigned to the El Paso Intelligence Center and the six regions of the National Narcotics Border Interdiction System to ensure maximum drug enforcement support. No special unit of the Immigration and Naturalization Service has been established to deal with immigration emergencies. However, INS is in the process of developing contingency plans to deal with mass immigration situations similar to the Cuban influx of 1980.

Question. Proposals have been made to amend federal criminal laws to deal with international terrorism—e.g., by specifically criminalizing certain forms of violence perpetrated abroad. If such provisions were enacted, how would prosecutors and the courts determine whether particular activities abroad were terrorism or some other form of violent action, such as justificable revoluntionary activity? Would the State Department have a role in advising or assisting prosecutors and the courts in such a connection? How would such a role be exercised in connection with contemplated or ongoing criminal proceedings? Would raising funds or shipping non-lethal supplies for military or paramilitary conflicts abroad, including insurgencies and civil disorders, become criminal under such provisions? In all cases or only if it were somehow determined that the recipients of such assistance were involved in terrorist-type activities?

Answer. In the absence of the actual or proposed statutory language, it is impossible to fully answer the question. As a general rule, the Department of Justice has not favored the enactment of criminal legislation, whether domestic or extraterritoirial, that contains the term "terrorism" (or its functional equivalent) within the statutory elements of the offense because such an offense would almost assuredly have by definition an element involving motivation for political purposes. In our judgment, such an element only raises unnecessary constitutional issues. The Department believes it is best to enact criminal statutes directed against violence *per se* without regard toward the motive of the perpetrators. Violence, unless sanctioned by law, is not to be condoned as a method of acceptable human conduct. Moreover, regardless whether a revolution is justified or not justified, we are opposed to the use of violence against United States persons or interests by revolutionary participants. To the extent that our criminal laws vest criminal jurisdiction in federal courts, the Department will give consideration to prosecution in all situations where the evidence available will support a criminal prosecution and custody over the perpetrator(s) is obtainable. As is usual with most overseas matters, the Deaprtments of Justice and State would closely coordinate their respective efforts in these situations.

RESPONSES OF AMBASSADOR ROBERT OAKLEY, DEPARTMENT OF STATE

Question. We have been told that some countries assist or at least condone terrorits activity. To what extent is Nicaragua supporting terrorist activities? Is Nicaragua involved in the drug trade? Are there links between terrorist and drug activities in that country?

Answer. Nicaragua has been linked to terrorist activities in the region, including support for Colombia's M-19 terrorists. There also has been involvement elsewhere in Latin America. For example, in July, 1982, three Nicaraguan embassy officials were expelled from Costa Rica for alleged involvement in the bombing of the Honduran Airlines office. Nicaragua also has provided hospitality to non-Latin American terrorists, such as members of Italy's Red Brigades.

There are credible reports of Nicaraguan officials involved in the drug trade, and receipts being used to support clandistine activities.

Question. (Amend to reflect actual text of DeConcini question). I have not observed any coordination between State and other federal agencies engaged in narcotics enforcement. As drug traffickers, terrorists and insurgents increasingly coordinate their activities, I would like to know what we are doing to coordinate our efforts to counter them?

Answer. There are several dedicated mechanisms through which State cooperates on a regular basis with Justice, Treasury, Transportation, Defense, the intelligence community, and other agencies concerned with narcotics enforcement in general and with specialized issues such as narcoterrorism. At least four interagency committees, dealing with issues at the senior policy level, schedule monthly meetings. In addition there are special arrangements which are utilized here and abroad. And, of course, there is a high degree of interaction on a one-to-one basis among the concerned agencies.

At the Cabinet level, there is the Congressionally mandated National Drug Enforcement Policy Board, which is chaired by the Attorney General, and includes the Secretaries of State, Defense, Transportation, Health and Human Services, and Treasury, as well as the Director of the Central Intelligence Agency. At the subcabinet level, there is the NDEPB Coordinating Group, chaired by the Deputy Attorney General, which includes State's Bureau of International Narcotics Matters, and enforcement agency heads from the Drug Enforcement Administration, Customs, Coast Guard, FBI, and others. Both the coordinating group and board meet regularly.

A third mechanism for coordination is the monthly meeting of law enforcement operations chiefs, which includes DEA, INM, Customs, Coast Guard, FBI, ATF, US Marshals, and others, meeting at the deputy assistant secretary level.

The fourth mechanism is the monthly meeting of the White House oversight working group, which embraces both supply and demand reduction issues, and is chaired by the director of the Drug Abuse Policy Office, who is a deputy assistant to the President.

In addition to these committees, there are various kinds of standing arrangements. For example, the State Department provides the leadership and communications facilities for management of international crises (under Presidential Directive 27) and we have recently reviewed this process with colleague agencies for the purposes of streamlining a process to be used in future narcotics-related crises. This mechanism functions at the deputy assistant secretary level. This process will be used to deal with future narcotics related terrorist incidents which threaten our national security or other vital interests. Where necessary, issues are assumed by the National Security Council. Perhaps the best known among the standing arrangements is the National Narcotics Border Interdiction System, under the management of the Vice President, which was created specifically to coordinate the collective narcotics enforcement efforts of numerous Federal agencies along our borders and in the Caribbean.

Of course, there continues to be the high level of internal coordination within State that has characterized Secretary's Shultz' parallel approaches to the issues of narcotics trafficking and terrorism.

RESPONSES ON COUNTERTERRORISM

Question. Ambassador Oakley, from the perspective of the State Department, what is our policy regarding preemptive or retaliatory strikes against terrorists? Would you please also articulate the goals and objectives upon which that policy is based.

Answer. As stated by Secretary of State George Shultz in his October 25, 1984 statement, "our responses should go beyond passive defense to consider means of active preventive, preemption and retaliation. Our goals must be to prevent and deter future terrorist acts." This is not a definition of how we might respond to each individual terrorist incident, but rather as opening further the range of actions.

There is a wide range of actions and options available to the U.S. and we are continuing to explore and develop them. Preemption, in addition to the use of force for example, could mean arresting would-be terrorists before they commit their planned act. We have expressed our determination to respond with whatever actions we deem most appropriate against those responsible for terrorist actions. The judgment as to the most appropriate action will have to be made on a case-by-case basis.

Our goal and objective, as indicated by the Secretary, is to prevent and deter future acts. We have a wide range of actions and options, as discussed in my formal testimony, beginning on page 20.

Question. Ambassador Oakley, how many U.S. citizens are currently being held hostage, where are they being held, and what is being done to gain their release.

Answer. Six Americans are being held hostage after being kidnapped in Lebanon during the past year. The most recent hostage is Dr. Thomas Sutherland, Dean of Agriculture at the American University of Beirut, kidnapped on June 9, 1985. The others are: William Buckley, political officer of the U.S. Embassy in Beirut (March 16, 1984) Peter Kilburn, Librarian at AUB (Dec. 3, 1985), Father Martin Jenko, a Catholic priest (Jan. 8, 1985), Terry Anderson, an Associated Press correspondent (March 16, 1985), and David Jacobsen, Director of the American University of Beirut hospital (May 28, 1985).

A group calling itself "Islamic Jihad" has claimed responsibility for their kidnapping. Little is known about the organization and we do not really know whether the captives are all being held together. We are striving through a variety of channels to obtain the release of the seven Americans and those of other nationalities held captive in Lebanon. We are in contact with other governments and parties including Syria and others which do not wish to be identified. Although we are not publicizing these efforts they continue to have a very high priority.

Question. Please describe the achievements of Mr. Oakley's Office for Counter-Terrorism and Emergency Planning during the past year.

Answer. The principal role of the office has been the development of coordinated efforts to deter and counter terrorism among U.S. agencies and with foreign governments.

The State Department is the lead agency for the U.S. Government in dealing with these overseas terrorism incidents and we have been extremely active in coordinating the U.S. Government's activities. This includes not only helping monitor, analyze and provide operational guidance for fast developing crisis situations, but also providing both policy and operational guidance on a continuing long-term basis to our embassies and other posts overseas.

Some illustrations of the type of action involved in crisis situation are the attack on the U.S. Embassy Annex in West Beirut, the December hijacking of the Kuwaiti airliner in which two AID auditors were killed, and the TWA 847 hijacking. Following the TWA hijacking, the Counter-Terrorism Office took the lead for the State Department in developing the proposals for the White House which became the President's July 8 announcement on civil aviation security. In so doing, we coordinated very closely with the Department of Transportation, the FAA, the Department of Justice, the FBI and the NSC.

The final decisions on these proposals and other policy recommendations are, as they should be, made at the White House.

In taking various initiatives and improving procedures during the past year the office:

Developed an inter-agency understanding about the composition, leadership and utilization of special teams which can be sent to the scene of a terrorist incident to help the Ambassador or the host government resolve the incident.

Established a system of coordinated threat alerts among all members of the intelligence community to provide more timely and accurate information of possible terrorist threats to all elements of a mission overseas, based upon data from all Washington agencies, and to reduce the problem of duplicate warnings and reporting.

Established closer ties between the Interdepartmental Group on Terrorism (IG/T) and the intelligence communtiy organizations which focus on terrorism so that there will be closer cooperation between the intelligence community and the policy community.

Established inter-agency procedures under a new Working Group of the IG/T for implementing the Rewards Program authorized by Congress in 1984. Helped prepare material for the El Salvador, TWA, and Kuwaiti airliner hijackers rewards announcement.

Established a Public Diplomacy Working Group under the joint sponsorship of the IG/T and the International Information Committee (IIC) which aims to generate greater global understanding of the threat from terrorism and the importance of intensive efforts to resist the threat. Programs being developed by subcommittees include developing material for international audiences and specific incidents.

Established new procedures for improved and faster handling of cables on terrorist to provide automatic distribution of messages to all bureaus and agencies on a restricted, need-to-know basis.

Developed improved procedures within the State Department for dealing with a crisis and for general policy matters.

Conducted a complete review of the Coping With Violence Seminar conducted by the Foreign Service Institute and all related security awareness and training programs run by the Department of State. The seminar, presented regularly to all USG employees and their dependents, is intended to provide them with adequate background to deal with the security aspects of their new assignments. The review includes a number of recommendations to expand and improve the seminar and how to coordinate it with all related programs. These recommendations are being implemented.

Proposed to the Summit Seven the revitalization of the Bonn Declaration through a graduated system of measures to admonish nations which do not adequately punish hijackers. The Summit Seven referred this issue to the ICAO in Montreal for consideration. Coordinated U.S. preparation for the recent Bonn meeting of terrorist specialists which was followed by the Foreign Ministers' meeting in September.

Worked directly with the security services of the Summit Seven governments and with other USG agencies to develop cooperative arrangements through bilateral channels which will enhance effective cooperation. These arrangements have been encouraged by joint visits by delegations composed of M/CTP and representatives of other USG agencies.

Followed by the threat against Americans by Colombian narcotics traffickers, by developing a coordinated inter-agency training and assistance effort for the Government of Colombia which provided substantial anti-terrorism support on a rapid basis, making use of reprogrammed funds. The program became a model for similar programs in other high threat countries.

Developed and expanded the Anti-Terrorism Assistance Program which was authorized by Congress in November 1983. By December 31, 1985, approximately 1,500 mid and senior level foreign officials from thirty countries will have participated its training programs.

The IG/T has created an Anti-Terrorism Assistance Coordination Committee to coordinate all USG assistance in the field of counter-terrorism. The committee is chaired by M/CTP and includes representatives from DOD (ISA, JSOA, DSAA), CIA and, when appropriate, FBI, DEA, State's Bureau of International Narcotics Matters, and other agencies. The committee's mandate is to ensure that all USG agencies providing anti-terrorism assistance (training and equipment) coordinate their activities in order to eliminate duplication while ensuring comprehensiveness.

Developed new procedures for the approval of Emergency Action Plans at posts overseas which have increased compliance from less than 25% to more than 96% over the course of the year.

Assumed responsibility from FSI for the implementation of the State Department's program to exercise the emergency planning capability at overseas posts, increasing the number of participating posts from six in FY 84 to 22 in FY 85.

Developed a plan for the complete revision of the Emergency Action Manual so that it will be simpler and more practical. Implementation of this revision is planned for early 1986.

Sent instructions to revitalize the Emergency Action Committees at overseas posts so that they would have better defined and broader responsibilities in the management of responses to terrorist threats.

Worked with the regional military commands and the Office of Security to promote closer cooperation in security, evacuation and other emergency planning at Embassies, including joint State/DOD surveys of embassy preparedness and participation in exercises.

Question. The key witness in Taiwan against Admiral Wang has now retracted his testimony that Wang was directly involved in the plot to kill Henry Liu. What effect is this likely to have on Wang's treatment in the Taiwanese criminal justice system? What efforts is the Department making to ensure that Wang receives full justice for his involvement in the Henry Liu case?

Answer. Admiral Wang's conviction and sentence to life imprisonment for his role in the murder of Heny Liu have been confirmed on appeal. The Appeal Court specifically rejected the recanted testimony of a key witness as insufficent to overturn the trial court's guilty verdict against Wang.

Question. In testimony before the House Foreign Affairs Committee, Ambassador Oakley stated that Cuba and Nicaragua were sponsoring and supporting terrorism elsewhere in our hemisphere. If the Contras in Nicaragua were found to be engaging in numerous atrocities, would that constitute terrorism in the view of the Department?

Answer. Yes, although we strongly disagree with the characterization of the democratic resistance as "terrorist." The civil war in Nicaragua was generated and is fed by the Sandanistas' refusal to honor commitments made to the O.A.S. in 1979 for a free and democratic society guaranteeing full civil, religious, and political liberties to all citizens. There have undoubtedly been abuses of human rights on both sides of the civil war, although many of the charges leveled against the resistance have not been substantiated. The United States condemns such violations regardless of the perpetrators. We are satisfied, however, that the leadership of the armed resistance fully shares our views in this issue, and has taken steps to punish those in its ranks found guilty of abuses against unarmed civilians.

Question. In his testimony March 5 before the Foreign Affairs Committee, Ambassador Oakley also mentioned a small number of other countries—including Libya—as involed in supporting terrorism. Does Iraq support terrorism? Does the Soviet Union support terrorism? Do Eastern European governments support terrorism? Which ones?

Aside from these two countries, are there other countries in the Americas which support terrorism? Identify them.

Answer. Iraq has supported several radical, rejectionist Palestinian groups, such as the Abu Nidal Group (also known as "Black June") and the 15 May Organization. These groups have frequently employed terrorism. As of February, 1982, however, Iraq has been taken off of the U.S. government's list of countries which support international terrorism. Since then, there have been accusations that Iraq has continued to support radical Palestinian groups, but this is denied by the Iraqis, who claim that the Abu Nidal group and the May 15 May organization have been suppressed. Iraq has also been accused of using terrorism against dissidents living abroad, in Europe, for example, but these charges have not been proved.

Syria is believed to support several radical, rejectionist Palestinian groups, such as the Abu Nidal group and the Popular Front for the Liberation of Palestine-General Command. Both these groups use terrorism, and are believed to have assassinated a number of more moderate Palestinians. Syria is also suspected of supporting or initiating terrorist attacks against Jordanian officials. Syria is regarded as one of the countries supporting terrorism.

There is no conclusive evidence to prove that the Soviet Union conducts terrorist acts. However, there is strong evidence that the Soviets support groups engaged in terrorism. These groups, such as the PLO, and Soviet client states, such as Cuba, have been involved in the direct support of other groups which habitually resort to terrorism.

While we do not possess the proverbial smoking gun in regard to Soviet complicity, there exists a body of evidence that strongly suggests that at a minimum the UUSR acquiesces in the terrorist policies of certain groups and with which countries it has close relations. The activities of a number of terrorist groups clearly benefit from several stated policy goals of the Soviet Union.

The evidence regarding East European complicity in terrorism is, like that of the UUSR, not conclusive but persuasive. Bulgaria, in particular, has been involved in activities which cast a great deal of suspicion upon its behavior. There is evidence that strongly suggests that the Czechs and East Germans have acquiesced in the activities of terrorists in their countries.

Question. How feasible would it be for terrorist organizations to steal and operate a nuclear weapon? To steal a nuclear weapon and threaten to disperse highly toxic nuclear materials? Is there any evidence to believe that any terrorist organization has actually laid plans along these lines? Would you please outline, on a classified basis as necessary, plans for responding to a nuclear incident involving terrorists?

Answer. We have no evidence that any known terrorist group has plans to commit an act of nuclear terrorism. We also have no information that any known terrorist group has members or accomplices with sufficient scientific skills to build a nuclear device or detonate a stolen one.

The federal agencies with the major responsibility for dealing with a nuclear terrorist threat are the FBI and the Department of Energy (DOE). The DOE has a group set up for quickly analyzing the credibility of a nuclear terrorist threat and another, the Nuclear Emergency Search Team (NEST), which is equipped and trained to search for nuclear material. Obviously, there are a myriad of other local, state and federal entities which would also become involved to some degree.

Question. Is there any current evidence that a country, such as Libya, which supports terrorism has acquired or developed a nuclear weapon or is in the process of doing so? Is there any evidence that such a country plans to release a nuclear device into the hands of terrorists or might deliver a nuclear device through a quasi-terrorist operation?

Answer. We have no evidence that those countries most closely involved in supporting terrorism (i.e. Syria, Libya, Iran) have acquired or have made any significant progress in building a nuclear weapon. It is unlikely that a country which manages to obtain (after great cost and effort) a nuclear weapon would then relinguish control of it.

Question. Ambassador Oakley is chairman of an interagency group on terrorism formed under NSC auspices. It would appear, however, that this group is not ultimately responsible for either counter-terrorism policy, operation or intelligence support. What exactly are the mandate and functions of this interagency group?

Answer. In NSDD 30 the President designated the Department of State with the lead interagency role in combatting terrorism outside the United States. The Interdepartmental Group on Terrorism (IG/T), chaired by M/CTP, provides the forum for the major departments and agencies involved in combatting terrorism to meet regularly and share ideas, draw conclusions and make recommendations on policy and programs. The permanent members include the Vice President's Office, the NSC, Justice (which has interagency responsibility for domestic terrorism), the FBI, DEA, Treasury, Defense and the JCS, Energy, the CIA and the FAA. Other agencies are invited when there is an agenda item of direct interest to them.

POLITICAL AND RELIGIOUS EXTREMISM IN THE MIDDLE EAST

(By Augustus R. Norton,[1] Middle East Institute, Mar. 7, 1985)

EXECUTIVE SUMMARY

Virtually every ethnic, national and religious group in the Middle East has been involved in extremist activities over the past few years. The belief that only certain groups—such as Shi'i Muslims—or certain countries—such as Iran—are responsible for all extremist acts is ill-founded.

The growth of Islamic extremism is largely the result of the failure of secular political leaders to improve the well-being of their people. As the emptiness of secular ideologies became apparent, many Muslims returned to Islam as a culturally authentic refuge and ideology.

Although the roots of extremism in any given country are essentially internal, there is no question that the experience of the Iranian revolution has served as a source of inspiration and support to groups in other countries.

The Gulf has not been plagued by extremism to date, but it is here that the influence of events in Iran is most evident. Sizable Shi'i populations in Iraq, Bahrain, Kuwait and Saudi Arabia's Eastern Province are particularly susceptible to the Iranian example. Ayatollah Khomeini's propagation of an activist, revolutionary Shi'ism is directed primarily at these Shi'i groups.

The anti-American trend in the Middle East poses a profound long-term threat to U.S. interests in the region. This is the result not only of U.S. support for Israel, but also of the widespread rejection of Western values and culture. Nevertheless, whatever the intensity of religious sentiment among extremists, the people of the region as a whole have evidenced a desire to continue strong commercial ties with the West, including the U.S. It is notable that, while the American and Western diplomatic presence has been the target of extremism in the Middle East, Western business interests have not.

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The opinions Dr. Norton expresses in this report are his own.

POLITICAL AND RELIGIOUS EXTREMISM IN THE MIDDLE EAST

Overview: Extremism is on the rise in the Middle East. If extremism could be ascribed only to a specific group, such as Shi'i Muslims, or to a single sponsor, such as Iran, the phenomenon would be considerably less important. The reality, however, is far more complicated. Despite the best efforts of demonologists to hold the PLO, Iran, Libya, and Syria responsible for everything that goes wrong in the Middle East, careful analysis of recent trends shows that such allegations are often ill-founded. This is not to argue that these players are free from involvement in extremist violence, but simply to note that other forces are at play.

Virtually every significant ethnic, national and religious group in the Middle East has been involved in extremist activities—ranging from violent demonstrations to political assassinations—over the past few years. The causes of this surge in extremism include intercommunal competition and enmity; disruptive social, political and economic change; the failure of political leaders; the role of external sponsors, and hostility toward Western influence in the region, including a disturbing brand of anti-Americanism. Unlike the period between 1967 and 1973, when extremism was linked to secular nationalost movements, the current wave comes from groups that claim inspiration from religious principles.

The principal focus of this report is the extremism that is linked to Muslim groups in the Fertile Crescent and the Gulf, but incidents staged by non-Muslim groups or by other states in the Middle East should not be ignored. Consider these illustrations:

A Jewish terrorist network has operated in Israel at least since 1980. The Israeli police broke up one group of 27 Jewish terrorists in 1984 after a string of excesses, including the car-bombing in 1980 that maimed the Palestinian mayors of Ramallah and Nablus and a rocket attack on an Arab bus in Jerusalem in October 1984.

Palestinian extremists have continued to commit terrorist acts against Israel and Israeli targets abroad. An assassination attempt on the Israeli ambassador to Great Britain, attributed to an anti-PLO Palestinian group, provided the justification for Israel's invasion of Lebanon in 1982.

Sunni Muslim opponents of the regimes in Syria, Egypt and Saudi Arabia have engaged in antigovernment violence, in some cases to bring down the targeted governments and in others to make a symbolic statement of protest.

In Syria, opposition by the majority Sunnis to the Alawidominated government of President Hafez al-Assad took the form of bombing and assassinations. These became serious enough in the late 1970s and early 1980s to place the government in tenuous straits. In 1981, 64 people were killed by a bomb planted in Damascus, and two years earlier over 60 Alawi cadets were killed at the Artillery Academy in Aleppo. Al-Assad's major response to his opponents came in Hama, Syria's third-largest city, in February 1982. A large part of the city was leveled by government forces, and several thousand residents were killed. The destruction in Hama has interrupted the antiregime campaign, but few experts believe that al-Assad's adversaries have been defeated.

In Egypt, militant Islamic protest movements have proliferated. One recent inventory identified 20 such groups, and the count is probably higher. Although only a few of these groups espouse violence, some have adopted extremist methods. The al-Jihad group, for example, was implicated in the assassination of President Anwar Sadat in October 1981.

In Saudi Arabia, a fanatical band of Sunnis shook the Saudi regime to the core by seizing and holding the Great Mosque in Mecca for three weeks in 1979. Shi'i Muslims in the Eastern (oil-producing) Province have risen in opposition to Saudi regime on at least two occasions since 1978.

Shi'i enemies of President Saddam Hussain in Iraq have continued their violent opposition, despite the regime's equally violent responsed. The Iraqi militants benefit from Teheran's support and encouragement, and perhaps its sponsorship.

In Bahrain, a well-armed attempt by some 70 insurgents to bring down the government was thwarted in December 1979. The Teheran-based Islamia Front for the Liberation of Bahrain, led by an Iraniam Shi'i clergyman, was responsible.

In Lebanon and Kuwait, car and truck bombs took over 300 lives in 1983. The terrorists, apparently acting with Iranian support and assistance, hastened the demise of the Multi-National Force in Lebanon and sent tremors throughout the Gulf.

Throughout 1984, the mysterious Islamic Jihad—unconnected to the Egyptian al-Jihad group, and perhaps a cover name for a method of action rather than an organization—continued its campaign of kidnapping and terrorism in Lebanon. The organization, which many believe is merely a front for Iranian-sponsored terrorism, added Dr. Malcolm Kerr, a distinguished scholar and President of the American University of Beirut, to its list of victims in January 1984. In its telephone call taking credit for the act, Islamic Jihad vowed to drive all Americans and Frenchmen out of Lebanon. Four Americans and one Saudi diplomat, all kidnapped in Lebanon, are still being held. Three former captives—an official of the American University of Beirut, and a British and an American newsman—were freed after long periods of detention.

Meanwhile, Shi'i extremists in Lebanon continue to challenge the authority of moderate Shi'i leaders. In West Beirut, Shi'i zealots have attacked bars, restaurants and other manifestations of Western "decadence." They seem bent on destroying the intercommunal tolerance that has characterized social life in the Western sector of Beirut.

Atrocities and the murder of several hundred people by Maronite militiamen in the Sabra and Shatila refugee camps in September 1982 proved once again that no Lebanese community is free from extremism.

Druze and Maronite militias traded well-founded charges of killings and gross cruelties as they fought for supremacy in the mountains south of Beirut following the Israeli invasion of 1982.

In southern Lebanon, Shi'i irregulars resisted the Israeli occupation of the area by a campaign of harassment, ambush and assassination that helped to hasten the Israeli withdrawal now in progress. Many analysts, especially in Israel, worry that extremist elements, emboldened by their success against the Israelis, will capture the political heart of the Shi'a community in Lebanon.

The Roots of Extremism: As the foregoing examples show, extremism has been spawned both by internal factors and external sponsorship. This section traces the origins of contemporary extremism in the Arab states of the Fertile Crescent and the Gulf.

Influenced by the Western tradition of secular modernization, many scholars believed that economic and political development in the Middle East would reduce the role of religion in Middle Eastern politics. Many Middle Eastern political leaders actively pursued programs of political and economic development that gave short shrift to Islam. The failure of these attempts to bypass Islam has helped to set the stage for a resurgence of Islam. This resurgence, in turn, led to a proliferation of Islamic organizations and movements, some of which have adopted violent methods.

Arab rulers have worked hard to secure their positions, to stabilize their governments and to quash dissent, but in many cases they have failed to achieve legitimacy in the eyes of their people. Most Middle Eastern governments have been more successful in creating sophisticated mukhabarat (secret police), national police and paramilitary forces than they have been in meeting the growing demands of their constituents. Social justice all too often remains a distant goal. Political participation is limited and often synthetic, career opportunities are inadequate for the growing numbers of educated men and women, and national incomes are unevenly distributed. In Iraq, for instance, 5 percent of the households receive about 35 percent of total national income; the poorest 20 percent receive about 2 percent. Ruling elites, often perceived as corrupt and motivated entirely by greed and self-interest, are frequently seen as parasitic and unconcerned with public welfare.

Political failure is not restricted to domestic politics. Many Arabs still wax poetic about the Arab nation, but the past two decades have provided eloquent testimony to the demise of pan-Arabism and the growth of state power. Stamped by failure and vainglory, Arab nationalism has failed to meet the challenges of the post-World War II era. The emotive Palestinian issue remains resolved, and the possibility of a settlement seems as remote in 1985 as ever.

Israel, viewed by most Arabs as palpable proof of their failure, remains the dominant military power in the region. The "victory" promised by the 1973 war has not been realized. Instead, Egypt's dominant military role in the Arab world has been diminished by a separate peace that many Arabs continue to decry as a gross strategic error. The Israeli invasion of Lebanon in 1982, in part made possible by the separation of Egypt's military strength from the Arab world, is widely regarded as an Arab humiliation. Arab oil wealth, which once promised the Arab world decisive political leverage, has been depleted as a result of global market forces, the pursuit of grandiose development projects and enormous purchases of arms.

The dominant ideologies of the past three decades—Nasserism, Ba'athism and Arab socialism—all too often seem only empty slogans on the lips of selfish politicians. As the emptiness of these secular ideologies has become apparent, many Arab Muslims have returned to Islam as a culturally authentic refuge and ideology. The return to Islam has occurred in a political environment where charges of repression, corruption and injustice are not merely antigovernment slogans but are characteristics of widespread political malaise. In contrast to the perceived profligacy of the rulers, Islam offers an austere alternative unbesmirched by the corruption and failure that has marked political life in the modern era. In short, Islam is a familiar ideology in a region where alternative ideologies have failed. This is not to say that the current resurgence of Islam is a novel development. It is only the most recent example of a cyclical phenomenon whose modern origins can be traced to the Islamic revival at the beginning of this century.

None of the Arab states contains an integrated, financially independent and hierarachically organized clergy such as that found in Iran. Nevertheless, common Islamic institutions have provided a locus for political action, even where the right of free political association has been limited or proscribed. Islamic groups often have been able to organize in the mosque and, in the case of the Shi'is, in the Husainiyya (a community religious center), relatively free from the government's gaze. Only a fraction of the nascent Islamic associations and movements (there are more than 100 in the Arab countries) are led by clerics, and a fair number are avowedly anticlerical. But it is striking that many of the new groups draw their membership from the relatively well-educated middle and lower middle classes whose needs their governments are not meeting. Although Islamic activists are frequently inspired by religious values and a desire to protect traditional customs against the modern onslaught, they are also concerned with who gets what, when and how much. In a fundamental sense, the Middle East is witnessing a comprehensive form of political action rather than an esoteric movement of pious Muslims.

Most Islamic activists have been no more extreme in their methods and goals than their secularly-inclined political cohorts, but some groups have interpreted Islam as providing an ethos and ideology that justifies, or even demands, violence.

It has become popular among some observers to regard the proliferation of extremist Islamic protest movements and dissident groups as an outgrowth of the Iranian revolution. This view is partly true, but, by presuming that every group is sponsored by Qum or Teheran, it grossly oversimplifies the nature of the phenomenon.

For example, one of the most venerable activist groups, the Muslim Brotherhood, with branches in Egypt, Syria, Jordan, Saudi Arabia, Europe, the Gulf, and the territories occupied by Israel, dates from 1928. Its most recent period of activism, began in Egypt in 1971. But Ayatollah Khomeini's success has provided an exemplar for the disaffected—in short, an example of what pious, well-organized Muslims can accomplish in the face of seemingly insurmountable odds. Even those Islamic groups that do not seek to establish an Islamic state may derive inspiration from the success of their Muslim colleagues in Iran.

The Syrian case may be the most interesting example of the strength of the Iranian experience. Sunni militants in Syria derived a spur to action from the events in Iran, yet in opposing the al-Assad regime in Damascus, they opposed the regime most closely allied with the Islamic Republic of Iran. Indeed, even if al-Assad's Sunni opponents succeeded in seizing power, they probably would not seek to establish close ties with an Iranian government that has denied them support in order to maintain close ties with al-Assad's 'Alawi regime. Moreover, despite the Syrian-Iranian alliance, al-Assad did not hesitate, when it suited his purpose, to clamp down in August 1984 on the Iranian revolutionary guards who had been stationed in Lebanon since 1982. Nor has this "anti-Islamic" action damaged the close ties between the two countries. These ties are based on shared political interests rather than shared conceptions of society or Islam.

Lebanon is another interesting case. The most important Shi'i organization in Lebanon, the Amal Movement, has had poor relations with Iran at least since 1981, largely because the Amal leadership has foresworn support for Islamic solutions in multiconfessional Lebanon. One of the most curious relationships in Lebanon involves a militant Sunni group—Tawhid (unity). This organization is based in Tripoli and aggressively opposes the spread of Syrian influence in the city. Tawhid has enjoyed Iranian financial support.

Populist Islamic movements among the Shi'i and Sunni Muslims of the Arab states of the Gulf have grown rapidly. Adherents of both sects take inspiration from

Iran as well as from the resistance of the mujahidin to the Soviets in Afghanistan, but there is a keen antipathy between Sunni and Shi'i activitists. For example, in September 1983, Sunni militants set fire to a Shi'i mosque under construction in Kuwait. Despite these strains, however, Sunnis and Shi'is in the Gulf share an Islamic ideology. In brief, this ideology encompasses a fundamentalist faith in Islam, opposition to corrupt and unjust government, commitment to social justice and equal rights, and an antipathy to external meddling in the area.

The Gulf has not been plagued by extremism to date, but the prospect of future problems, especially involving Shi'i groups, has been a major worry of the Sunni rulers of Qatar, Bahrain, Kuwait, the United Arab Emirates, and Saudi Arabia. In general, these governments have been inclined to accommodate the demands of Sunni activists, while ignoring or even suppressing their Shi'i counterparts. There are some 200,000 Iranians living in the Gulf Arab states, including sizable populations in Bahrain (70% Shi'i) and Kuwait (about 25% Shi'i). The restive Shi'a of Saudi Arabia's oil-rich Eastern Province have been a particular concern to the Saudi government, which has not been very responsive to meeting their social, economic and political needs. (There has never been a Shi'i minister in the government.) The enlightened handling of the Eastern Province Shi'is by ARAMCO, which employs many of them, probably has helped to keep a lid on Shi'i activism.

Despite the long shadow cast by Iran, Muslims of the Gulf region, whether Sunni or Shi'i, have sponsored few acts of violence. Violence in the Gulf generally has been directed against indigenous rivals and diplomatic targets. As yet, there has been no significant pattern of attacks against foreign business interests. This may reflect the pragmatic acceptance of beneficial business activities, even as the activists resent western values and culture. The two most important incidents since the overthrow of the Shah, in addition to the seizure of the Grand Mosque, seem to have originated outside of the Gulf: the abortive coup in Bahrain in 1974, and the December 1983 bombings in Kuwait, both of which have been linked to Iran.

IRAN AND EXTREMISM

Whatever the Iranian role in sponsoring extremist acts—and there is reasonable evidence for suspecting that Iran has played a direct role in some incidents—the Islamic Republic clearly has propounded an ideology that can be used to legitimize the use of violence. In addition to the importance of the revolution as an exemplar for Muslims, Ayatollah Khomeini's reinterpretation of Shi'ism has helped to provide a rationale for activism, revolution and extremism.

In Khomeini's view, Iran is the only truly Islamic state. All other Islamic states are illegitimate. If they do not reform on their own, then Iran has the right to force them to do so. Iran sees some governments, especially that of Saddam Hussain in Iraq, as bastions of atheism and beyond reform. Since dependence on outside powers, expecially on the United States, serves only to weaken and divide the Islamic community (umma), any state that maintains such ties is a servant of a superpower. This epithet applies to Saudi Arabia, the Gulf States and Egypt. As Khomeini declared in late 1983, "The Our'an says: 'Hold ye fast to the rope of Allah,' yet you are holding the ropes of America or the Soviet Union."

As the superpowers are the strongest international actors, Khomeini holds them responsible for "all world corruption." The superpowers, especially the United States, are a legitimate target for violence. They must be punished and humiliated for the evil things they have done to Muslims. In Khomeini's words, the superpowers should be "slapped in the face" or "punched in the mouth."

The view from Qum is that the Shi'is are the only true representatives of the oppressed and deprived masses. Ayatollah Khomeini, in his role as jurisconsult, authoritatively interprets the meaning of Islam. Indeed, in the new Iranian constitution, Khomeini is referred to as the representative of the Twelfth (or hidden) Imam who will one day return to inaugurate the age of justice. Only by accepting the Khomeini version of Shi'ism can Muslims meet the dictates of their faith. Moreover, Iran is the vanguard of Islam, and it has a sacred duty to propagate the faith. Whether propagation of Islam extends to sponsoring and organizing political extremism is not always clear. Khomeini has condemned various extremist acts, including the mining of the Red Sea and the hijacking of aircraft (as in the December 1984 incident perpetrated by Lebanese Shi'i terrorists), yet he has also overseen the training of non-Iranian militants whose education has included exhortations to lead "Islamic revolutions."

Since 1975, there has been a threefold increase in the number of students studying at the religious schools in Qum. By all appearances the curriculum is heavily laced with Khomeini's activist version of Islam. In addition, a conference was held in Teheran in 1982 on the subject of the "Ideal Islamic Government." After the conference, the Iranians are said to have decided to train thousands of Muslim militants from two dozen Islamic states and to send them back to their home countries to act as "messengers of the true Islam." Several weeks before the conference, Khomeini said, "We shall export our revolution to the whole world." At a 1983 meeting attended by about 500 foreign clerics, Khomeini told his audience, "You should discuss the situation in Iran. You should call on people to rebel like Iran."

Lebanese newspapers reported in 1983 that some 2,000 revolutionary missionaries, including 300 Shi'is from Lebanon and 1,000 from Iraq, were receiving religious, military and political training in a special center north of Qum. Some observers believe that the suicide drivers for the truck-bomb attacks of 1983 were recruited in this center, which is also alleged to have been the training camp for the insurgents who attacked Bahrain in 1979.

The Iranian role in specific acts of violence is sometimes obscure. There can be little doubt, however, that Iranian officials approve of many of the incidents and probably have sponsored some of them. The clearest case of Iranian sponsorship is the "Supreme Assembly of the Islamic Revolution in Iraq." This organization is based in Iran and led by an Iraqi cleric (Hojatolislam Muhammad Baqir al-Hakim). Several scholars believe that the Supreme Assembly is intimately associated with the al-Da'wa (The Call) party, one of the most important underground Shi'i groups in Iraq. Members of al-Da'wa were identified as participants in the bombing of seven Arab and Western installations in Kuwait in December 1983. Al-Da'wa is also believed to have been responsible for the destruction of the Iraqi Embassy in Beirut in late 1981.

ANTI-AMERICANISM

Veteran observers report a significant anti-American trend in the Middle East that poses a profound long-term threat to U.S. interests in the region. The United States is increasingly viewed with animosity, in large part because of its unwavering support of Israel. Moreover, individual Americans are no longer accepted merely as private citizens unassociated with the policies of their government. The United States is often held responsible for much of the political blight that is alleged to afflict the Muslim world. U.S. immobility on the Palestinian question, its suspected complicity in the Israeli invasion of Lebanon, and Washington's support for "anti-Islamic" regimes (such as that of the former Shah), are commonly-heard charges. Western values and culture, of which the United States is the vanguard, are often considered a threat to Islamic culture, especially by those segments of society that have benefited least from an association with the West.

The most disturbing aspect of the anti-American terrorism in Lebanon is the ease with which Americans have been regarded as legitimate targets. While some U.S. officials have categorized this trend as indicative of a virulent, unjustified hostility to the United States, the environment in which such attacks occur is one in which the U.S. is viewed with suspicion. This condition, in part, is a reaction to United States policy. This means that while the U.S. undoubtedly has permanent enemies in the Middle East, the climate that encourages anti-American extremism is subject to improvement. Whatever the intensity of religious sentiment among Islamic activists, the people of the region as a whole have displayed an understanding of the rewards of mutually beneficial relations, including business relationships, with the United States.

IMPLICATIONS

Many of the recent incidents of terrorism share a common characteristic—a link with Islam. But it is evident that we are not dealing with a single, destabilizing giant lurching about the Middle East. Instead, Islamic activism is a mixture of movements and organizations that can be understood in a narrower political context. In Syria, for instance, the cause of Sunni extremism is not resurgent Islam, but majority claims in a state dominated by a minority sect. In Lebanon, Muslim extremism has been, to a significant degree, a response to outside meddling in that troubled land. In Saudi Arabia, the Shi'is of the Eastern Province have responded to government neglect by demonstrations against the government's authority.

The Islamic coloration of contemporary extremism is notable, but the coloration is in varying hues of green (the color of Islam), not just Iranian green. More important is the fact that each state in the Fertile Crescent and the Gulf is traversing the bumpy road of modernization. During the journey, those who are left behind or disadvantaged by change are likely to continue to seek the familiar refuge of Islam. In these circumstances, it will become even more important for Middle Eastern leaders to face squarely the issues of social justice and equity. The point is not to reward extremists, but to isolate them by building support for government policies and resource distribution among the population at large.

Extremism feeds on extremism. When it gorges on itself, the consequences can be destabilizing and uncontrollable in the short term. The case of the Shi'a in Lebanon illustrates the point. Before the Israeli invasion, the Shi'is were engaged in struggles with the fedayeen in southern Lebanon and Beirut. The Shi'is welcome the Israeli invaders in 1982, especially in the south, with at least grudging thanks for the explusion of the PLO fighters from the area. If, on the heels of the invasion, the Israelis had made a quiet, tacit deal with the moderate Amal movement, and had then quickly withdrawn, the prospects for stability in southern Lebanon (and peace along Israel's northern border) would have been much brighter.

Instead, Israel tried to establish proxy forces of Christians to emasculate the Amal movement. Israeli policy thus created a political environmental in which political authority was fragmented. Resistance to the Israeli occupation spread like a cancer. Extremism was validated, and the voices of law and order were muted. Today, as the IDF retreats from the area, the Shi'a and other southern Lebanese face an uncertain future in which the character of communal leadership is yet to be determined. The centrist politicians who hold a tenuous grip on the leadership of the Shi'i community face an uphill struggle, as demonstrated in Sidon by the militant Hizb Allah (Party of God) in February 1985.

For the United States, appropriate measures will be needed to confront extremism aimed at American personnel and installations. It is also imperative that Americans be sensitive to the need to balance U.S. interests and Middle East realities. Although forward basing facilities in the Gulf make tactical sense, the aversion of the people of the region to such "external intervention" must not be ignored. By the same token, while U.S. leverage in Middle Eastern politics is in part a direct result of its heavy support for Israel, it is necessary for the U.S. to continue taking decisive steps to help bring solutions to the extant issues of the Arab-Israeli conflict. The danger in the current climate, in which many Americans seem traumatized by the extremists' campaign, is that Americans will be so preoccupied with terrorism that they lose sight of the country's larger regional interests.

For the American businessman dealing with the Gulf, there is good reason to take heart from the absence of attacks on foreign business interests. Although the environment has become more dangerous for Americans, the evidence suggests that American business will continue to play a welcome role in the Gulf. The recent events do suggest the absolute necessity of staying in touch with local developments. Executives must remain sensitive to the need to avoid the appearance of corrupt practices, as well as the actual engagement in them. Finally, fair wages and hiring practices are essential for maintaining a congenial business environment.

The threat of extremism in the Middle East cannot, and should not, be summarily dismissed, but by attempting to understand the problem as it exists, rather than demonologically, we can at least approach the phenomenon with intelligence.

[Whereupon, at 1:33 p.m., the committees adjourned, subject to call of the Chair.]

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